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SAN FRANCISCO  
CITY PLANNING COMMISSION

Minutes of the Special Meeting held jointly with the Recreation and Park Commission on Wednesday, January 4, 1978.

The Joint Commissions met pursuant to notice on Wednesday, January 4, 1978, at 7:30 p.m. in the Hall of Flowers in Golden Gate Park.

PLANNING COMMISSIONERS PRESENT: Toby Rosenblatt, President; Ina Dearman, Vice-President; Susan J. Bierman, George Carey, Virgil L. Elliott, Yoshio Nakashima, and Charles Starbuck, members of the City Planning Commission.

ABSENT: None.

RECREATION AND PARK COMMISSIONERS PRESENT: Commissioners Harris, Armstrong, LaGarda, Meyer, Eickman.

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; George Williams, Assistant Director-Plans and Programs; Dick Gamble, Planner II; and Lee Woods, Jr., Secretary.

Following the introduction of the Planning Commissioners by President Rosenblatt, Mr. John J. Spring, General Manager, Recreation and Park Department, began his introduction to the Open Space Acquisition Program and the General Manager's Report. He announced that in November, 1974, San Francisco voters passed Proposition J, which established a program for acquiring open space, developing new parks and recreational facilities, and renovating existing properties under the jurisdiction of the Recreation and Park Department. He said that the "General Manager's Report", Fiscal Year 1978-79, being presented this evening, is the fourth recommended expenditure program from the Open Space Acquisition and Park Renovation Fund. Mr. Spring pointed out that a great deal of effort has been expended by the Open Space Committee and concerned citizens in implementing the program. He noted the considerable progress, as documented in the report, that has been made. Mr. Spring commented that one of the salient features of the implementation process was the creation of a Citizens Advisory Committee, consisting of twenty-three members, who are appointed by the Board of Supervisors. The function of the Committee is to assist and advise the General Manager of the Recreation and Park Department and the Director of City Planning in establishing priorities for projects eligible for inclusion in the Open Space Program.

The General Manager extended particular thanks to the Director of City Planning, the Director of Property, the City Attorney, the Director of Public Works and the Controller, together with their respective staffs, as well as members of the recreation and Park Department staff, for this collaborative effort. He noted the significant role of the Citizens Open Space Advisory Committee.

Mr. Spring said that the three public hearings conducted by the Committee have produces the framework for the recommendations contained in his report. In conclusion, Mr. Spring explained that if the Commissions approve adoption of the General Manager's Report, it is in no way a final action. He added that the recommendations must be brought before the Board of Supervisors for approval.

Mr. Spring called upon Mr. Thomas Malloy, Executive Assistant to the General Manager, to summarize the report.

Mr. Malloy explained that essentially the General Manager's Report breaks down into two parts.

1. Actual recommendations for fund expenditures for the next Fiscal Year 1978/79.
2. Progress Report or "Up-date" on the program, as required by the Charter of the City and County of San Francisco.

Mr. Malloy stated that the City Controller anticipates the money to be available in the Fund for the Program's fourth year to be \$3,505,874. Income not spent by the end of each Fiscal Year remains in the Fund and is carried forward to the next Fiscal Year. Monies may be used only for the purposes for which they originally were designated. Interest accrued by the Fund is deposited in the Fund. The interest is reflected in the Controller's estimate.

Mr. Malloy stressed that the formalities of actual appraisal have not been made, particularly in relation to land acquisition. He pointed out that although the data is raw, it is hoped to be conservative.

Mr. Malloy reported that the actual recommendations break down into three categories:

I. Acquisition of Hilltops, Waterfront Areas, and Other Spaces - Estimated Budget: \$908,000

A. Hilltops

- (a) Duncan and Castro Site, transfer unimproved portion of Castro Street from Department of Public Works.
- (b) Grandview Park Extension (additional Funds); option on Block 2050 A, Lot 6, to preserve significant rock outcropping.
- (c) Kite Hill, planning funds.

B. Waterfront

- (a) Columbia Square, foot of Columbus Avenue, Plannings Funds.
- (b) Four porta-parks for Waterfront.
- (c) India Basin, initiate acquisition.

C. Other Open Spaces

- (a) Francisco Street Steps.  
Transfer property from Department of Public Works.  
Planning and Development Funds.
- (b) Kearny Street Steps.  
Transfer property from Department of Public Works.  
Planning Development Funds.
- (c) Kellogg-Velasco Block.  
Phase II development of site.
- (d) Noe and Beaver Street.  
(corner of Block 3561, Lot 8)  
Acquire lot.
- (e) Rickard Street Property  
Planning, development, provision of recreational equipment.
- (f) I.M. Scott School  
Lease school yard during the duration of the Open Space Program (until the year 1990).
- (g) 1340 Clay Street.  
Planning and Development Funds.
- (h) Surplus Property Fund.  
Funds to acquire tax delinquent properties at redemption cost suitable for open space.  
Properties to be acquired at this time include:
  - Lots adjacent to St. Mary's Playground:
  - Lots at Franconia-Brewster Streets  
(South of Rutledge Avenue);
  - Lot at Diamond-Moffitt Street (Glen Park).

II. Acquisition and Development of New Facilities in High-Need Neighborhoods - Estimated Budget: \$1,622,874.

Chinatown: Funds to pay for the balance of the Churdill Alley site which was recommended for purchase in the fiscal years, 1975-76 and 1976-77

Central City: Additional funds for acquisition of a park site in the Central City (Tenderloin)

Mission: Phase I planning and development funds for the proposed gym to be built on the site at 2450 Harrison Street

Acquisition of properties (Block 3612, Lots 2 and 4) on both sides of 2450 Harrison Street to provide sufficient space for proposed gym and open space

Phase II development of the Knudsen site

Planning, design, development of the mini-park site commonly known as "Juri Commons"

Acquisition of all or portion of property (lots 9, 10, 42, 42A, 43, 43A, 69-Block 5615) between 3235 and 3249 Mission Street for a park site connecting to "Esmeralda Corridor"

South of Market: Phase I planning and development for a proposed park on the Reno Hotel site, 6th St. near Folsom through to Harriet Streets.

Mr. Malloy called attention to the difference in the criteria used in the selection of sites in high-need neighborhoods, which are listed as follows:

- (1) Where are the greatest unmet needs for recreational and open space sites?
- (2) What are the areas of greatest population density?
- (3) What has been planned and funded in the past and for the near future?
- (4) What requirements must be met for relocating existing residents or businesses?

Mr. Malloy noted that it is necessary to concentrate on a few specific properties each year in order to make meaningful impact on high-need neighborhoods. While some areas may not be slated for property acquisition on the initial phases of the program, they will be considered in subsequent years. This year, the following acquisitions are recommended:

- (1) Chinatown -- Funds to pay for the balance of the Churchill Alley site, Churchill Alley and Vellejo Street, which was recommended for purchase in the Fiscal Year, 1975-76.



Mr. Malloy then referred to an addendum to the General Manager's Report. He explained that after review with the Open Space Advisory Committee at a Special Meeting on January 3, 1978, the General Manager recommends the acquisition of a site on Washington Street between Hyde and Leavenworth Streets, (Block 187, Lots 12, 13). He said that if the lots are not available for purchase, then funds should be used for an alternative site in the greater Chinatown Area if a suitable location can be identified. Mr. Malloy explained that the greater Chinatown area is one of six high-need neighborhoods that is substantially lacking in open space and recreational facilities. He noted that the General Manager concurs with the recommendation from the Open Space Committee that another mini-park site would benefit the community. Mr. Malloy pointed out that because of the threat of possible immediate development on one of the lots, the General Manager feels that it is important to acquire these properties. This is only the second acquisition recommended for Chinatown in the Program. Mr. Malloy announced that a member of the Open Space Committee, who has a relative who owns one of the lots, abstained from voting on recommending this acquisition.

- (2) Central City -- Additional funds for acquisition of a park site in the Central City (Tenderloin).
- (3) Mission -- Phase I Planning and Development Funds for the proposed gym to be build on the site at 2450 Harrison Street.
  - Acquisition of properties (Block 3612, Lots 2 and 4) on both sides of 2450 Harrison Street, to provide sufficient space for proposed gym and open space.
  - Phase II Development of the Knudsen/Bloom Site - Arroyo and Potrero Streets.
  - Planning, design, development of the mini-park site commonly known as "Juri Commons", San Jose and Guerrero between 26th Street.
  - Acquisition of all or portion of Lots 9, 10, 42, 42A, 43, 69-Block 5615 (between 3235 and 3249 Mission Street), for a park site connecting to "Esmeralda Corridor."
- (4) South of Market -- Phase I Planning and Development for a proposed park on the Reno Hotel Site, 6th Street, near Folsom through to Harriet Streets.

Mr. Malloy noted that this report does not contain any specific recommendations for the Bayview-Hunters Point and Western Addition. As previously enunciated, the major thrust of the Open Space Program is to provide substantial funding in those high-need neighborhoods that have been most neglected. Substantial appropriations have been made for new recreation and new park facilities and improvements to existing grounds in the Bayview-Hunters Point and Western Addition districts since the preparation of the Comprehensive Plan in 1972 and its adoption in 1973. A Summary of these improvements is contained in Appendix III of the Report.

III. Renovation - Estimated Budget: \$875,000.

Mr. Malloy stated that the Charter provides that the first 25% of the annual allocation from the tax override which supports the Open Space Program be used to modernize, upgrade, renovate the existing Recreation and Park system. The following considerations contributed to setting the priorities for the much-needed renovation projects:

- (a) Existence of a safety or health hazard.
- (b) Intensity of utilization of a facility.
- (c) Length of time since improvements were made.
- (d) Extent to which renovation will increase usability.
- (e) Need for repair of damage (intentional and accidental).
- (f) Aesthetic enhancement.
- (g) Balance of renovation efforts throughout the City.

Mr. Malloy detailed listing of funds:

(a) Balboa Park	\$100,000
(b) Buena Vista Park	100,000
(c) Douglass Playground	100,000
(d) Glen Park	50,000
(e) Helen Wills Playground	75,000
(f) Lincoln Park	
Children's Playground	100,000
(g) St. Mary's Playground	125,000
(h) Sunset Heights Playground	75,000
(i) Upper Noe Valley Playground	75,000
Contingency Reserve	75,000
Estimated Total	<u>\$875,000</u>



Mr. Malloy announced that the Addendum to the General Manager's Report also contains two other recommendations. Request Director of Public Works to issue a Revocable Permit for use of Department of Public Works property located at the Southwest corner of Washington and Montgomery Streets (Block 208, Lot 25) for a mini-park. The General Manager, upon recommendation from the Open Space Committee, believes that Lot 25 would provide a unique mini-park site serving both core Chinatown and the Financial District. It is noted that a Chinese Education Center is located nearby at 646 Clay Street. Development funds for this site could be recommended in a subsequent year.

In conclusion, Mr. Malloy noted that the Addendum recommends the deletion of lots adjacent to St. Mary's Playground (Block 5825, Lot 12, 13; Block 5826, Lots 17, 18; Block 5827, Lots 19, 20; Block 5828, Lots 8, 9, 10) from the Surplus Property Funds, as detailed on Pages 2 and 12 of the Report. He stated that upon further review of the subject property next to St. Mary's Playground, the General Manager recommends that the above lots be deleted from the Report because of the large number of additional parcels to be purchased if the property were to be usable as open space. Mr. Malloy pointed out that, on reflection, it appears that higher priorities for land acquisition exist in other neighborhoods.

#### PROGRESS REPORT BY MR. THOMAS MALLOY

Mr. Malloy reported that the Charter requires the General Manager to make a Progress Report on the Open Space Program to date. The General Manager and the Open Space Committee are committed to maximum neighborhood participation in the renovation program. Essentially, funding for Fiscal Years 1975-76 and 1976-77 was made available on or about July 1, 1976. Thus, funds were not made available to implement the Program until 20 months after voter authorization. Mr. Malloy summarized progress to date as "substantial" and referred to pages 23 through 32 of the General Manager's Report, which details program recommendations for the Fiscal Years 1975-76 and 1976-77.

Commissioner Tommy Harris took the occasion to commend and express appreciation to the members of the Open Space Citizens' Advisory Committee.

#### COMMENTS BY MR. RAI Y. OKAMOTO, DIRECTOR OF PLANNING

The Director noted the fact that he had not participated in the program at its inception. Also, he recalled that his Masters Thesis, in City Planning, was titled "The Importance of Open Space". The Report, he said, confirmed the three principal reasons for the importance of Open Space:

- (a) Social Importance
- (b) Psychological Importance
- (c) Aesthetic Importance

The Director said that the Department of City Planning intends to support the program and hopes that the recommendations are adopted forthwith.

INTRODUCTION OF MS. ANNE HALSTED, CO-CHAIRPERSON OF THE OPEN SPACE CITIZENS ADVISORY COMMITTEE

Ms. Anne Halsted briefly commented on the recommendations for the Open Space Program. She explained that many decisions made were not easy, adding that the Committee was guided by the City's Master Plan.

THE FOLLOWING INDIVIDUALS SPOKE AS PROPONENTS OR OPPONENTS OF THE GENERAL MANAGER'S RECOMMENDATIONS:

1. Mr. Edward McDevitt, Greater West Portal Home Owners Association.  
Mr. McDevitt commended the program. Announced that Association has an interest in a piece of property that meets the criteria and will submit a request for consideration next year.
2. Mr. Bill Kuhns, Friends of Noe Valley, Proponent.  
(Noe and Beaver Streets)
3. Mr. Kenneth G. Johnson, Attorney and potential buyer of property at Noe and Beaver Street (corner of Block 3561, Lot 8). Opponent. (Noe and Beaver Streets)
4. Mr. Morris F. Hoaglund, Real Estate Broker. Opponent  
(Noe and Beaver Streets)  
Suggested the acquisition of an alternate lot.
5. Mr. Armin J. Buchter, Businessman. Opponent.  
(Noe and Beaver Streets)
6. Mr. Cade Morrow, Duboce Triangle Association. Proponent.  
(Noe and Beaver Streets)
7. Mr. Charles Anderson, representing himself. Proponent.  
(Noe and Beaver Streets)
8. Mr. Buck Bagot, Northwest Bernal Heights Block Club and Elsie Street Neighborhood Group. Proponent.  
(Esmeralda Corridor)
9. Mr. O.M. "Jim" Corbett, South of Army/Mission Association. Opponent. (Lot 43A, between 3235 and 3249 Mission Street, for a park site connecting to "Esmeralda Corridor.")

10. Mr. Mike Nolan, Elsie Street Group. Opponent.  
(EsmeraldaCorridor)
11. Ms. Linda C. Canaga, North West Bernal Block Club.  
Proponent. (EsmeraldaCorridor)
12. Mr. Mel Tatsapaugh, representing Bernal Heights neighborhood. Proponent. (EsmeraldaCorridor)
13. Mrs. Maria Galatti, Friends of Noe Valley. Proponent.  
(Upper Noe Valley Playground renovation)
14. Ms. Maggie Baylis, Telegraph Hill Dwellers. Proponent.  
(Kearny Street Steps)
15. Mr. William Carney, representing Francisco Neighbors.  
Proponent. (Francisco Street Steps)
16. Mr. Frank J. Gallagher, representing Frank J. Gallagher Realty Company. Opponent. (EsmeraldaCorridor)
17. Mr. John Jay Ferdon, representing Mr. and Mrs. Raymond V. Frick. Opponent. (Francisco Street Steps)
18. Mr. Thomas McGarvey, representing William Alexander, questioned the procedures of the acquisition of land under this program. Mr. Malloy explained the various steps taken.
19. Mr. B. John Moscini, representing Celeste Depaoli, et al. Opponent. (Esmeralda Corridor)
20. Ms. Catherine Taylor, representing herself. Proponent.  
(gym on site at 2450 Harrison Street) Also objected to any further purchases of property in Diamond Heights for park purposes.
21. Mr. Stephen Halpern, Golden Gate Heights Association.  
Proponent.
22. Mr. Barry Pearl, resident, Sunset District, offered recommendations for the Open Space Acquisition and Park Renovation Program for next year.
23. Ms. Ruth Gravanis, Glen Park Association. Proponent.  
(Renovation of Glen Park) Ms. Gravanis commented that renovation of the playing field is more important than baseball backstops and bleachers.

24. Mr. John J. Kosewic, representing Ko Ri Inc. Opponent.  
(India Basin)
25. Mr. Albert E. Jarkieh. Opponent.  
(2450 Harrison Street - gymnasium site)
26. Mr. Stephen Pantos, representing Chinatown Beautification Project. Proponent. (Chinatown)
27. Mr. John Sanger, Duboce Triangle Neighborhood Association. Proponent. (Noe and Beaver Streets)
28. Mr. Samuel Schneider. Opponent. (Esmeralda Corridor)
29. Ms. Colleen Wanner, representing San Jose Avenue Block Club. Proponent. (Juri Commons)
30. Ms. Karen Apana, President, Duboce Triangle Association. Proponent. (Noe and Beaver Streets)
31. Mr. John Bardis, Inner Sunset Action Committee. Proponent.  
Mr. Bardis suggested that the Committee give serious thought to Mt. Sutro wilderness area in 1978.
32. Mr. Robert M. Tibbits, Telegraph Hill Dwellers. Proponent.  
(Francisco and Kearny Street Steps)
33. Mr. Michael G. Mason, Bernal Heights Area Neighborhood Group. Proponent. (Esmeralda Corridor)
34. Ms. Nancy G. Walker, President, Bernal Heights Association. Proponent. (Esmeralda Corridor)
35. Mr. Frank Gonzalez, representing the Puerto Rican Club. Proponent. (Esmeralda Corridor)
36. Ms. Manuela Bruno, representing the Puerto Rican Club. Proponent. (Esmeralda Corridor)
37. Mr. Art Santiago, representing the Puerto Rican Club. Proponent. (Esmeralda Corridor)
38. Ms. Susan Edwards, representing Duboce Triangle Neighborhood Association. Proponent. (Noe and Beaver Streets)
39. Mr. Walter Park, representing Duboce Triangle Neighborhood Association. Proponent. (Noe and Beaver Streets)



January 4, 1978

40. Mr. Vincent P. Walsh, representing Building Contractors. Opponent. Urged the Committee and Commissions to explore the entire process. He stressed that Parks and Open Space are necessary; however, the livelihood of builders is being taken away. Mr. Walsh emphasized the importance of representing all parties equally.

President Rosenblatt assured Mr. Walsh that he can present this issue to the Citizens' Advisory Committee as it goes into next year's hearings.

41. Ms. Frances Valesco, Muralist of property on Mission Street. Proponent. (Esmeralda Corridor)

INTRODUCTION OF MR. STANLEY HERZSTEIN, CO-CHAIRPERSON AND MS. DIANE HUNTER, VICE-CHAIRPERSON, OF THE OPEN SPACE CITIZENS ADVISORY COMMITTEE.

Comments by Mr. Herzstein and Ms. Hunter, emphasized the importance of the joint Commissions' acceptance of the Open Space Report. Ms. Herzstein introduced the members of the Citizens' Advisory Committee who were in attendance this evening.

AMENDMENT TO THE RECREATION AND OPEN SPACE ELEMENT OF THE MASTER PLAN BY THE CITY PLANNING COMMISSION:

It was moved by Commissioner Bierman, second by Commissioner Dearman, and carried unanimously, that the Resolution be adopted, with the words "and as modified by addendum to General Manager's Report" added to the fifth paragraph following "January 4, 1978." (Resolution No. 7874)

APPROVAL OF RESOLUTION BY THE CITY PLANNING COMMISSION TO ADOPT THE GENERAL MANAGER'S REPORT:

It was then moved by Commissioner Elliott, seconded by Commissioner Starbuck and carried unanimously, that the City Planning Commission adopt the report of the General Manager, Recreation and Park Department, as modified by addendum. (Resolution No. 7875)

APPROVAL OF RESOLUTION BY RECREATION AND PARK COMMISSION TO ADOPT THE GENERAL MANAGER'S REPORT AS MODIFIED BY ADDENDUM

On a motion of Commissioner Amy Meyer, seconded by Commissioner Lidia M. La Garda, a resolution was adopted by the Recreation and Park Commission approving the Program contained in the "General Manager's Report, Open Space Acquisition and Park Renovation Fund, Fiscal Year 1978-79" and as modified by addendum to General Manager's Report.

The Meeting was adjourned at 10:20 p.m.

Respectfully submitted

Lee Woods  
Secretary



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Minutes of the Regular Meeting held Thursday, January 5, 1978.

The City Planning Commission met pursuant to notice on Thursday, January 5, 1978, at 1:30 p.m., in Room 282, City Hall.

PRESENT: Toby Rosenblatt, President; Ina F. Dearman, Vice-President; Susan J. Bierman, George Carey, Virgil L. Elliott, Yoshio Nakashima and Charles Starbuck, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); Robert W. Passmore, Planner V (Zoning); Dick Gamble, Planner IV; Wayne Rieke, Planner IV (Zoning); and Lee Woods, Secretary.

Gerald Adams represented the San Francisco Examiner and Dan Borsuk represented the San Francisco Progress.

#### APPROVAL OF MINUTES

The Minutes of the Meeting of November 29, 1977, were approved unanimously as submitted.

#### CURRENT MATTERS

Rai Y. Okamoto, Director of Planning, noted the fact that the Department had three new CETA staff members and that the work order for Title II staffing had been approved and that we will submit shortly, requisitions for the five positions to which we are entitled.

The Director observed that AB 884, State legislation which establishes time limits for permit granting agencies, became effective today. In this context and as a result of discussions we've had with the Bureau of Building Inspection, Larry Johnson has been temporarily detached to Central Permit Bureau. He will verify the completeness of submissions with respect to Planning Code requirements.

The Department is beginning to monitor the effects of AB 884 in terms of staffing and management in the Department. There is the suspicion, the Director observed, that the Department may have to seek an emergency or supplemental appropriation because of increased demands on staff.

The Director announced that Ralph Gigliello is leaving the Department as of January 13, 1978. He will assume a position with the Coastal Commission.

With regard to the vacant Assistant Director's position, the Director reported that he anticipates a letter from Civil Service, with some minor proposed changes in the job description and expects that we should be able to proceed with the steps necessary to fill the position. Commissioner Dearman asked the Director about the possibility of filling the position on a temporary basis. The Director responded by saying that, since he thought that the beginning of a selection process was imminent, there was no advantage gained.

With respect to the Commission's Resolution No. 7860, relating to St. Anne's Home and the Little Sisters of the Poor project on Lake Street, the Director reported that he had reviewed the architect's latest design and thought that it would now be appropriate to calendar the matter, subject to Commission approval, for the Commission's meeting of January 12, 1978.

With regard to The Embarcadero Center #4 Project, a project over which the Commission has no official jurisdiction, the Director stated that we have received an invitation to see a proposal for the project. The invitation was extended by Mr. Bronkama, a local representative of the project. A meeting has been scheduled for Monday, January 16, 1978, at 11:00 a.m., on the 23rd floor of Embarcadero Center #3. Commissioner Starbuck noted that it is a 45 story proposal.

The Director reported that with respect to the ABAG Environmental Management Plan, Department of City Planning (DCP) has received Board of Supervisors' approval to seek and receive \$10,000 to evaluate and report to ABAG on the Environmental Management Plan. Also, he reported that a draft contract for a consultancy has been prepared. The Director stressed that there are a number of key dates with respect to the Plan.

The Director noted that two committee meetings of the Commission were scheduled for the week of the 9th of January. Both the Budget and Personnel Committee and the Implementation Committee are scheduled to meet on Tuesday, January 10, 1978.

The Director introduced John Igoe, representing the CAO's office on the Yerba Buena Center project. The Director announced that there will be a joint meeting with the San Francisco Redevelopment Agency on Yerba Buena Center. The meeting is scheduled for Thursday, February 9, at 3:00 p.m. In response to a question from Commissioner Dearman, Mr. Igoe agreed that Commissioners would get a copy of the draft EIR by mid week of the 9th of January. It was agreed that this would be the last item on the Commission's calendar for that day.

With respect to the ABAG Environmental Management Plan, the Director said that Commissioners would be provided with an eighty (80) page summary, and that the Commission might be asked to take some kind of action with respect to the Plan.

The Director provided the Commission with a memorandum entitled "Capsule Summary of the DCP Solar Demonstration Project". The memorandum described a solar retro-fit project for the DCP office at 100 Larkin Street. The Director asked the Commission to approve a resolution approving a solar retro-fit project and approving the submission of a grant application to the United States Department of Energy.

After discussion, it was moved by Commissioner Bierman, seconded by Commissioner Nakashima, and carried unanimously that Resolution No. 7876 be adopted with the following resolved clause:

"NOW, THEREFORE BE IT RESOLVED, That the San Francisco City Planning Commission approves a solar retro-fit project for the Department offices at 100 Larkin Street to be the subject of a grant application to the United States Department of Energy, approves Zoe Works as the consultant to prepare the application, accepts the contribution of two thousand dollars from Pacific Gas and Electric Company, and authorizes the Department of City Planning to submit the application when prepared."

President Rosenblatt asked the Commission for a motion to approve the appointment of Mr. Werner Lewald to the Northeastern Waterfront Advisory Committee. Mr. Lewald is President of the Trans-Pacific Transportation Company.

It was moved by Commissioner Bierman, seconded by Commissioner Nakashima and carried unanimously that the appointment of Mr. Lewald be approved.

President Rosenblatt, referring to recent complaints from the Board of Supervisors, asked the Director and the Secretary to see what could be done about expediting the minutes. He expressed a wish that the backlog could be overcome in the next two weeks.

President Rosenblatt suggested a new operating practice which he brought to the attention of the Commission and directed to the attention of the Director and the staff. "If there are materials relating to an item on the calendar to be considered by the Commission, and if those materials are not available to be mailed with the calendar, then that particular item should not be on the Commission calendar". The second step of this practice is to be as follows: "If an item is put on the Commission calendar and the Commission is not given background materials at least two (2) days in advance, it is recommended that the Commission take no action with respect to that item. The Director, observing that there may be legitimate delays, concurred with the new procedure and agreed to report it, by memo, to staff.

Commissioner Starbuck reported that the Southern Pacific Development Company plans a major high rise building at Mission and Beale Streets. He suggested that senior DCP staff should get together with representatives of Southern Pacific Development Company and discuss the possible importance of the site as a location



which the Transbay Terminal Authority might consider in its plans to expand to meet future transportation needs. He stated that he would be willing to suggest to the Authority that the Mission and Beale site be evaluated as a possible site for expansion.

Commissioner Starbuck requested that Assistant Director Williams explore the revision of our building codes with respect to energy conservation standards. Also, he said that he had been informed that the change in the building codes which would permit smaller capacity flush toilets has not been considered by anyone in the City.

Commissioner Starbuck said that the resolution concerning the San Francisco Airport and reporting procedure has not been received by the Airports Commission. He asked that someone look into the matter.

ZM78.1 - GRAYSTONE TERRACE, WEST SIDE, NORTH OF COPPER ALLEY, BETWEEN 174 AND 300 GRAYSTONE TERRACE, THROUGH LOTS WITH FRONTAGE ALSO ON BURNETT AVENUE. LOT 1 IN ASSESSOR'S BLOCK 2718 AND LOTS 16, 17 AND 34 IN BLOCK 2719B.  
CHANGE OF THE USES (ZONING) CLASSIFICATION OF THE PROPERTY FROM R-3 TO R-1-D AND FROM PROPOSED RM-1 TO RH-1(D).

Assistant Director Steele summarized the Case Report. He said that the proposal was to reclassify the property to an R-1-D or an RH-1-D district. He said that the tentative recommendation was that whereas R-3 and the RM-1 were not the most desirable, neither was R-1-D and RH-1-D best gives the topography of the area. He suggested that the Commission might wish to consider something intermediate. Possibly, he suggested R-H-2 or R-H-3 with a conditional use process or R-2 coupled with Discretionary Review until final zoning is accepted. He suggested that the Commission initiate a proposal to consider all possible alternatives.

Commissioner Bierman asked what designation was in effect now. Mr. Steele replied that presently there existed a legally constituted R-3 district but that R-1-D was in effect because it was applied for.

Commissioner Bierman asked about the number of units which would be allowed under the proposal. Mr. Steele said that the total lot area for R-3 or RM-1 would be divided by 800 and that total lot area would be divided by 4,000 for R-1-D or RH-1-D. Theoretically, this would produce respectively 77 units or 15 units.

President Rosenblatt said that it was now appropriate to take public testimony from those concerned with the proposal.

Ramona Albright, Vice-President of the Twin Peaks Association and a resident of the area, representing the applicant asked why should speculators who don't live in the area be allowed to make dollar gains based on the sacrifices of people who live in the area.

She said that her association would like to work with everyone involved to get structures built which are not out of scale, which are of good design and which would permit parking and appropriate traffic access for fire and other emergency vehicles. To this end, she said, we've requested the reclassification of the last remaining open space in our area.

Gary Faldesey, Chairman of the Twin Peaks Association's Zoning Study, made a number of general comments to familiarize the Commission with the area in question. He described an area of small, narrow and one-way streets. He said that it was an area with acute problems of congestion and circulation with severely restricted access for fire and emergency vehicles.

Ms. Albright introduced into the record a statement of Judge Clayton Horn, a resident of 45 Graystone Terrace and Board member of the Twin Peaks Association. It read as follows:

"The present parking patterns on Graystone Terrace present a clear danger to the lives of the residents and to their property! They cannot maintain the required fire lanes so reimbursement from their insurance companies is also in question. (a terrible threat under which to live) Should ambulance or fire fighting equipment need to enter, they could not - much of the time!

"Equally hazardous conditions of a different sort exist on Burnett and Twin Peaks Boulevard i.e. cars cannot enter these streets from Raccoon, Crown, Mountain Spring and Clarendon with any degree of safety even when entering from a complete stop. In addition, cars entering Twin Peaks Boulevard from Burnett face an equal hazard. Six additional single-family houses have already been approved for construction on Twin Peaks Boulevard (to be built in 1978). Even the approval of single-family structures on the properties under consideration for reclassification (these would total approximately 24) would add a tremendous burden to Graystone, Burnett and Twin Peaks Boulevard.

"The history of the three present owners of the properties in question have heard to much anxiety on the part of the residents who are now respectfully requesting your consideration for reclassification of zoning. Two of them have already built multiple housing structures with inadequate off-street parking - i.e. housing units with no off-street parking space provided. One of these excavated his property a year ago, creating a veritable dust bowl during our draught. They still have not done any building on the site and have spoken openly of intent to create outrageous traffic flow (to facilitate their ingress and egress for multiple housing) by exploiting some easement rights obtained years ago. It is our understanding that these rights were granted with the understanding that they were for the owner alone - i.e. ingress to a single-family dwelling (BLK 2719, Lot 34).

BLOCK 2718A the third owner, last year proposed building on their property, a structure which asked for no fewer than 6 variances to the building code. The plans also included a large "social hall" which would in effect have meant a neighborhood bar in a neighborhood clearly not zoned for commercial facilities. The Twin Peaks Association was successful in petitioning the Planning Commission to deny these building permits. One of the now proposed developers (a real estate sales person) is at present constructing housing on Burnett which, in the view of many residents, is way out of scale for the character of the area - certainly much higher than its neighboring structures. This person has spoken of plans to subdivide the parcel they buy and so (hopefully) avoid the need for variance requests. The present owners of this parcel of land has attempted to intimidate those whose names appear on the application for request to reclassify parcels in question. Copies of that letter are herewith respectfully submitted for the Commission's evaluation (along with their attorney's reply)"

Mr. James Fitzpatrick, President of the Twin Peaks Association, stressed that the area is a RH-1 area and that the character of the area is that of single-family dwellings. He said that the character should remain RH-1 and that his association strongly favors the proposal.

Ms. Albright read the statement of someone concerned with development in the area. The letter was read and suggested sympathy for the proposal.

Mr. John Bardis, of the Inner Sunset Action Committee, supported zoning that would reflect the existing uses of properties in the area.

Harriett Diabner, an attorney, representing clients in the area, requested the neighborhood to remain single family in character. They have fears about insurance based on the difficulty in providing fire protection to the area, she said. Basically, she said, they want the neighborhood to remain the same.

President Rosenblatt asked if anyone else wished to speak in favor of the proposal. No one came forward.

The first person to speak in opposition to the proposal was Mr. Maurice H. Dolman of the M.J.R. Investment Company, Mr. Dolman's company had owned Lot No. 1 of the subject property, for 12 years. He stressed that he had paid taxes and finance and interest costs for 12 years. Mr. Dolman said that, based on costs already incurred, there was no way for him to make a profit on this property.

Mr. Dolman said that a downzoning of Lot No. 1 in Assessor's Block 2718A would make it impossible to build because of topography on this lot. He said that he did not know the exact number of units which could be built but that foundation problems could be more easily solved if a large number of units were to be built. He said that there was no traffic problem in the area and that there would be no increase of hazard in the development of four parcels.



Mr. Dolman asked what would happen if a multi-unit structure were to burn down? Could that structure be rebuilt? Mr. Steele said that if a structure of non-conforming use were destroyed by an act of God or other natural event, it could be rebuilt. This would not be true in the case of voluntary destruction or demolition by the owner.

Mr. Dolman asked why is it assumed that it is not possible to keep a multiple-unit structure as beautiful as a single-unit structure. He said that he could see no public purpose in the proposal only private. He said the application under consideration was filed after it was known that his company had a possible buyer.

Mr. Paul Walti, owner of Lots 17 and 34 in Block 2719B, read the following statement:

"This letter is in reply to an application made by Twin Peaks Improvement Association in which they request a Down Zoning of Lots #16, 17, and 34 of Block No. 2719B, and Lot No. 1 of Block 2718A.

"Our names are Paul J. Walti and Helen L. Walti, and we are the owners of Lots Nos. 17 and 34 in Block 2719B. Our position on the matter is that the request of Twin Peaks Improvement Association be denied and that the proposed rezoning of the area from R-3 to RM-1 remain as the Planning Commission has proposed.

"In Article III of the application, the Twin Peaks Improvement Association claims to be aware of no future plans for the subject properties. Actually, they knew, and now know, that Building Permit Application No. 429388 for a 9-unit apartment house was approved and a building permit issued on October 6, 1976, and that the intention to build was legally posted in the area for everyone to see.

"Before October 6, 1976, the Twin Peaks Improvement Association also know that City Ordinance No. 17-73 was passed on January 5, 1975, authorizing the acquisition of air rights over Lot No. 17, Block 2719B from us -- Paul J. Walti and Helen L. Walti -- required for view protection on Burnett Avenue, in exchange for an on-exclusive easement over a portion of Lot No. 14 in Block 2719C. This exchange was followed by a Permit to excavate on the easement, issued by the Department of Public Works, Order No. 94,816 - Drawing Survey No. 3272. A copy of this Order is on file in the office of the Clerk of the Board of Supervisors.

"In Article IV of the application, the Twin Peaks Improvement Association claims to have no knowledge of any application for building permits that have been filed in connection with the proposed use of the subject properties. In January of 1977, Alex Grosword, a building contractor, was signed to build a 9-unit apartment house, and a loan was taken out with Bay View Federal

Savings & Loan Association for \$250,000. The work was started on February 4, 1977, and the grading for foundations was completed. The contractor's work was stopped by the Soils Engineer, with the result that the contractor had to be terminated by legal action. This was accomplished with the approval of the lending agency.

"In April, 1977, Ramona Albright, the current Vice-President of Twin Peaks Improvement Association, telephoned me, and during the conversation she asked me what was causing the delay in my building program. I told her what had happened, and added that my building permits had expired due to various delays. I also told her that I had to re-apply for permits at half fee in order to continue the project. The application for renewal was filed on June 3, 1977. The new application number is 7705696. When I mentioned these facts to President James Fitzpatrick of Twin Peaks Improvement Association over the phone, he replied, 'I guess we didn't do enough research.'

"Five years of work, planning, with guidelines from City Planning, revising, engineering, and no small amount of cash involved, are threatened here, and the only explanation is, as quoted above, 'I guess we didn't do enough research.'

"The renewed permits are expected in three or four weeks. The building itself has been passed. The design of the access road is now being considered by the Planning Commission. The Art Commission Design Committee has already met on it. Both organizations have approved a wall design previously submitted under the old application (No. 429388), as did the Twin Peaks Improvement Association.

"In Article II, item 2, of the application, the Twin Peaks Improvement Association proposes to encourage the development of single-family houses. The United States Housing Market Report printed in the San Francisco Examiner on Sunday, January 1, 1978, states that San Francisco and Oakland have lot problems so severe that they should significantly curtail single-family production. The San Francisco Bay Area is included in the group with the highest lot inflation. We need dwellings for many families, not for just a few.

"The character of Graystone Terrace is apartment-house oriented. The Planning Commission showed the wisdom of their experience and research in proposing the rezoning of the area from R-3 to RM-1.

"We have owned Lot No. 34 and an adjoining building at 174 Graystone Terrace for 22 years as R-3 property. The taxes charged are at the R-3 rate. 174 Graystone Terrace was developed and is now a 3-unit apartment building. We have two designs for a 4-unit apartment building to be built on Lot No. 34. Lot No. 34 has been surveyed and a Soils Report obtained and part of the grading accomplished.

"In summary, we should like to call to your attention that the loan is alive, and that four contractors are ready to bid on the 9-unit apartments upon issuance of permits. We have sold our 3-unit apartment house at 174 Graystone Terrace and our new home will be established in one of the nine units. To down zone Lot No. 34 now, after planning so long for income property in our approaching retirement years, would be a severe blow to all our plans.

"We thank you for your indulgence and appreciate your courtesy and consideration of these matters."

Based on his statement, he asked the Commission to disapprove the application before it for consideration.

Commissioner Starbuck asked if it could be verified that there are active permit applications on Lots Nos. 17 and 34 that would be jeopardized by the proposal. There was a permit application on Lot No. 17; it was dated June 3, 1977.

Commissioner Starbuck asked Mr. Walti about the status of his permits in the City, and asked if there was not a real need for the Commission to know the status of those permits before taking action. Mr. Steele replied that the permits would become void if the proposed change in zoning became effective before the issuance of the permits. Commissioner Starbuck said that the date of application would in effect, though, grandfather the permits in.

Commissioner Starbuck and Mr. Steele agreed that if the application were approved by the Commission, then, theoretically, the permit application related to Lot No. 17 would be put in jeopardy.

The Commission continued to take testimony from Mr. Walti. President Rosenblatt made reference to photographs provided to him by Mr. Walti. The photos showed construction which was begun on February 4, 1974.

President Rosenblatt said that a number of questions had been raised. With respect to development on Lots Nos. 17 and 34, President Rosenblatt asked Mr. Walti, where it was proposed to locate access. Mr. Walti said that access to the nine units proposed for Lot No. 17 would be from "New Burnett". He said that he had a non-exclusive right of easement and that he did not mean Raccoon Street. With respect to the four units proposed for Lot No. 34, access would be from Graystone Terrace.

Mr. Walti said that permits were not on file for Lot No. 34 but were for Lot No. 17.

Mr. George Kroll, a native of San Francisco and a realtor for 32 years, said that he was opposed to "ticky-tackys" on any hill. He said that the subject property had been R-3 for 32 years. He said that in May of 1974, the former City Planning Commission had had an opportunity to downzone the property but had left it alone. He said that he had a sale going on one of the subject lots and that it was ratified on October 27, 1977. He said that the application was filed on October 24, 1977. Mr. Kroll introduced two stewardesses who had intended to purchase the lot in question (Lot No. 1, Assessor's Block 2718A).

The prospective buyers stressed that they had lived in the immediate vicinity of the subject property for 18 years, that they were not outside developers and that they intended only the loveliest possible development. They said that high density development was not necessary for economic feasibility but that downzoning would make it impossible for them to live there.

Commissioner Starbuck asked what portion of the lot the buyers intended to purchase. They replied all. They said that it would be purchased from M.J.R. Investment Company.

Commissioner Starbuck asked if there were any conditions in the agreement of sale related to zoning. The reply was yes that it be zoned R-3. The prospective buyers said that the initial plan was to divide the lot into four (4) sections. In response to a question from Commissioner Starbuck, they agreed that if the zoning condition changed during the escrow period, they would be released from the agreement.

Mrs. Helen Bradley, a resident of the area, spoke against the downzoning proposal.

Commissioner Bierman said that it was her feeling that there was too much development on that hill.

Commissioner Dearman said that she opposed the degree and quality of development on the hill.

It was moved by Commissioner Bierman and seconded by Commissioner Starbuck and passed unanimously that Resolution No. 7877 initiating a proposal for R-1, R-2, RH-1 and RH-2 with respect to the subject property, be adopted.

It was agreed that this proposal would permit the Commission to consider a range of options with respect to appropriate levels of development in this area.

With respect to the matter of 2M78.1, it was moved by Commissioner Bierman, seconded by Commissioner Starbuck and passed unanimously to continue the matter to the regular meeting of April 6, 1978.



CU78.1 - 1000 CABRILLO STREET, NORTHWEST CORNER OF 11TH AVENUE:  
R-3 AND PROPOSED RH-2 DISTRICTS.  
RENEWAL OF CONDITIONAL USE AUTHORIZATION FOR SAN FRANCISCO BOYS HOME, A RESIDENTIAL CARE FACILITY FOR NINE BOYS.

President Rosenblatt asked for the Commission's concurrence in foregoing the case report. There was no objection. He asked if there was anyone who wished to speak in favor of the proposal. There was no response. He asked if anyone wished to speak in opposition. Again, there was no response.

President Rosenblatt asked for the Director's recommendation. Mr. Passmore said that the Commission had before it a draft resolution and a recommendation for approval.

President Rosenblatt asked if there were any comments or a motion. It was moved by Commissioner Bierman and seconded by Commissioner Dearman that the draft resolution be adopted. When the question was called, the Commission voted unanimously to adopt the draft resolution as City Planning Commission Resolution No. 7878.

DR77.66 - DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NO.  
(EE77.196) 7706350 FOR CONSTRUCTION OF A NEW 7-UNIT RESIDENTIAL  
BUILDING AT 3239 MISSION STREET, EAST LINE, 175 FEET  
SOUTH OF FAIR AVENUE.  
(CONTINUED FROM MEETING OF DECEMBER 22, 1977.)

Robert Passmore, Planner V (Zoning), remarked that this matter had been before the Commission before. He said that the matter had been continued before to allow time for the developer and proponents of open space for a portion of the subject property to work out a compromise. He said that a compromise had not been worked out, that a solution acceptable to the developer had not been found. For this reason, he said, a resolution had been drafted. It would recommend disapproval of the building permit application. Mr. Passmore said that Mr. Richard Gamble, Planner IV, was available to answer questions.

President Rosenblatt referring to decisions, made at a joint meeting of the City Planning Commission and the Recreation and Park Commission, related to the Open Space Acquisition Program, asked about the effect of the Commission's action taken on the previous night.

Mr. Gamble said that the effect of the Commission action was to approve acquisition of the property for open space.

President Rosenblatt asked if there was anyone who wished to testify.

Mr. O. M. Corbett said that he had not had proper notice of the Joint Meeting with Recreation and Park Commission. He identified himself as the President of the South of Army Mission Merchants Association. He wondered why no one in the Planning Department had given him sufficient notice of the Meeting of January 4, 1978. He said that he was a taxidermist, that he had a three (3) story building directly across the street and that he had been there almost thirty years. He said that building should be allowed on that lot.

Mr. Frank Gallogher, who spoke in opposition to the open-space proposal, stressed the need for housing. He said that he supported Proposition J, but that he never expected commercially viable property to be taken from the tax rolls. He said that one hundred and ninety six (196) signatures had been collected. He called into question the validity of the Puerto Rican Club's petition signatures. He made a veiled reference to extortion and blackmail at the previous night's meeting. He asked that the property not be turned into open space.

Commissioner Bierman asked if he was saying that members of the City Planning Commission had met in private. Mr. Gallogher said no. He said that he refused to become a part of the meeting which he alluded to.

Mr. Sam Schneider asked the City Planning Commission to accept the application or postpone it while the Board of Supervisors make a final ruling on the purchase of property. He said that he represented the applicant, Mr. Murphy, in this case.

From his own viewpoint, Mr. Schneider recommended senior citizen housing for this site, but not a mini-park. He reiterated that there was no guarantee that the Board would vote to purchase this property.

Mr. Passmore said that the staff would have no opposition to a continuance.

Mr. Okamoto stressed that there could be a compromise in this matter.

President Rosenblatt asked if there was a motion for continuance. Mr. Passmore said that it would be an indefinite continuance with the intention of placing it back on calendar before the Board took a final action.

It was moved by Commissioner Dearman, seconded by Commissioner Carey and passed unanimously to continue the matter indefinitely.

Commissioner Bierman said that she could not accept the idea that there would not be a mini-park on Mission Street.

President Rosenblatt requested that staff notify Mr. Corbett and Mr. Gallogher well in advance of any proposed Commission consideration of this matter.



DR77.82 - DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION  
NO. 7712271, FOR A ONE-FAMILY HOUSE AT 64 VAN BUREN STREET.

This matter had been considered by the Commission on December 22, 1977. Mr. Passmore said that it was the staff's recommendation that this matter be continued to January 12, 1978.

President Rosenblatt asked if there was a motion. It was moved by Commissioner Bierman, seconded by Commissioner Starbuck, and carried unanimously that this matter be continued until the Commission's meeting on January 12, 1978.

ZT78.1 - PROPOSED CHANGE IN TEXT OF CITY PLANNING CODE AMENDING  
SECTION 218 AND 219 TO REQUIRE CONDITIONAL USE AUTHORIZATION FOR QUICK STOP FOOD ESTABLISHMENTS, BRANCH BANKS  
AND SAVINGS AND LOAN FACILITIES.

In describing the background of this matter before the City Planning Commission, Mr. Passmore said that it originated from a November 1975 request of Supervisor Feinstein. The Supervisor requested that the Commission develop the legislation necessary to make certain uses, including fast-food facilities and branch banks and savings and loans, a conditional use in commercial districts.

In response to the initial request, he noted that the Commission had endorsed in December of 1975, guidelines for branch banks and savings and loans. In August, the Commission endorsed guidelines for quick-stop establishments.

Mr. Passmore said that the Commission had directed, subsequently, the staff to bring to the Commission those projects, which did not conform to the guidelines, for Discretionary Review. The difference between use of the guidelines coupled with Discretionary Review and a conditional use process was the mandatory Commission review and appeal to the Board of Supervisors with respect to conditional use.

Mr. Passmore said that legislation had not been prepared, that the purpose of this hearing was to get a sense of public concerns on this matter. He said that staff would recommend continuance to February 2, 1978.

Mr. Passmore noted that if the Code were to be amended it would be primarily Section 218c and 219c. He said that possible problems, in terms of drafting legislation, included defining particular uses in a class of use and defining particular uses in terms of the kind of access required.

With respect to an Appeals procedure, Commissioner Bierman expressed concern about the possibility of the Commission finding itself in a conflict situation between the Board of Supervisors and the Board of Permit Appeals. She said that she did not want to be a party to saying that the Board of Permit Appeals was not as responsive as the Board of Supervisors.

President Rosenblatt asked if there was anyone who wished to give public testimony.

Mr. Greg Hurst spoke on behalf of the Chamber of Commerce. He said that the impetus for public consideration of this matter had been the displacement of commercial uses by financial institutions in the West Portal area. This pattern continued in other neighborhoods in the City. Mr. Hurst expressed the view that the guidelines endorsed by the Commission had been successful and that the proposed legislation was inappropriate.

Mr. Roger Otto of Bayview Federal Savings spoke in favor of financial institutions. He said that the proliferation of savings and loans is controlled by the industry's regulatory agency. Also, he said that the proposed legislation should be considered very carefully.

Mr. Merv Silverberg represented the District Council of Merchants. He said that it was the Council's view that bars should be considered also. He said that there was a proposal for a savings and loan facility at the corner of Sacramento and Presidio Streets. He suggested that hard-fast rules might be difficult to live with, that distinction had to be made between districts.

Mr. Mike McGill represented the San Francisco Planning and Urban Renewal Association (SPUR). Mr. McGill said that the Commission was on the horns of a dilemma. Guidelines and discretionary review, he said, could necessitate review by an often capricious Board of Permit Appeals. On the other hand, he said conditional use is cumbersome and requires great amounts of time. Mr. McGill suggested that development of performance standards to enhance the vitality of neighborhood commercial districts. He said that SPUR would be prepared with further suggestions when the Commission considers the Commerce and Industry Element of the Master Plan.

The Director suggested that retention of decisions, related to these kinds of uses, at the Commission level, seemed more flexible and thus more appropriate than elevation to the legislative level.

Commissioner Starbuck asked what would be the staff's recommendation if a financial institution were proposed for the southwest corner of Polk and California Streets. Mr. Passmore said that the guidelines would recommend discretionary review, given the proximity of another financial institution, in the hope that the developer could be encouraged to find an alternative site.

President Rosenblatt suggested that a promising approach might be the incorporation of guidelines or performance standards into code so that everyone knew the rules well in advance.

Mr. Silverberg wondered what could be done, on a street like Sacramento Street, to give a neighborhood association a voice in any decision making process. President Rosenblatt stressed that anything could be brought to the Commission for its discretionary review. Mr. Passmore said that in the past, the staff had chosen not to intervene in instances where other permit granting agencies were involved. A typical example of this type of agency is the State Alcoholic Beverages Control Commission.

It is generally agreed, President Rosenblatt said, that the Alcoholic Beverages Control Commission is not an effective regulatory agency.

It was moved by Commissioner Dearman, seconded by Commissioner Carey and carried unanimously that this matter be continued until the Commission's meeting of February 2, 1978, at which time staff will return with more detailed proposals for the Commission's consideration.

ZT78.2 - PROPOSED CHANGE IN TEXT OF CITY PLANNING CODE AMENDING  
SECTION 302 TO MODIFY PROCEDURES FOR ZONING RECLASSIFICATION  
AND SET-BACKS.

Mr. Passmore said that this hearing was set up to receive public testimony on the proposed amendment. It was not intended that the Commission would take any action. Staff, he said, would recommend that this matter be continued.

Mr. Passmore said that the proposed amendment was introduced by Supervisor Kopp in 1977. At that time it was indicated to the Board, he said, that the hearings on this matter would be held as part of the Residential Zoning Study hearing process. Subsequently, because of the complexity of the Residential Zoning Study, he added, it was felt more appropriate to separate this matter from the Residential Zoning Study.

The proposal, he said, would increase filing fees for applications for reclassifications, set time limit for hearing of these applications by the Commission, set time limits on initiated reclassification by the Department of City Planning and change the effect of filing for reclassification on building permit application processing the proposed amended Section 302e would read as follows:

"(e) Effect of reclassification or set-back proceedings upon permit application. No application for a building permit on any property or for any other permit or license for a new use of any property filed subsequent to the day that an application has been filed or a resolution of intention has been adopted for the reclassification of such property or for the establishment or change of a building set-back line thereon, shall be approved by the City Planning Department except as hereinafter provided:



- "1. A reclassification or set-back proceeding as to any property may be initiated with the Planning Commission by the City Planning Department by an application therefore or by a resolution of intention. Such proceeding may also be initiated by an interested property owner as defined in subsection (b) of this Section, upon the filing by such owner with the Commission of an application for such reclassification or set-back, together with a filing fee equal to \$250 plus \$4 for each lot that would be affected in any way by the resolution of intention or application as to reclassification or set-back.
- "2. Upon the filing of such application or resolution of intention as to the reclassification or set-back by the City Planning Department or by an interested property owner, the City Planning Commission should within no less than 10 days nor more than 15 days thereafter, convene a panel of three of its members to hold a preliminary hearing to determine whether probable cause exists for the adoption of the proposed set-back or reclassification. Notice of the hearing shall be given by the Commission at least 5 days prior to the date of the hearing by posting such notice in a conspicuous place on the affected property and in or on at least five conspicuous places in the three hundred foot area surrounding the affected property and by sending notice by mail to any person who has an application pending before the City Planning Department for a permit or license with respect to the affected property. The only persons permitted to attend the preliminary hearing and to give evidence or testimony shall be the aforementioned property owners, any applicants for permits or licenses with respect to the affected property, and the representatives of the City Planning Department. The panel of 3 members shall hear all the testimony and evidence and shall, within 3 working days of the hearing, make a determination, by a majority vote, as to whether probable cause exists for the adoption of the proposed set-back or reclassification. For purposes of this subsection "probable cause" means that the evidence and testimony establish a prima facie showing that the proposed set-back or reclassification will improve the use of the affected property in accordance with the overall City plan for land use or will promote the overall purposes and policies of the City Plan for land use.
- "3. Any person appearing or entitled to appear at the preliminary hearing may apply in writing to the President of the Planning Commission for a hearing de novo by the full membership of the Commission, provided that such application is presented to the President within 6 working days after the preliminary hearing. Upon receipt of such application for the hearing de novo, the President shall schedule full hearing to be held by the entire membership of the Commission within not less than 20 days nor more than 30 days after the application for the hearing has



been received by the President. Notice of the hearing shall be given by the Commission, at least 15 days prior to the hearing, by posting such notice in a conspicuous place on the affected property and in or on at least five conspicuous places in the three hundred foot area surrounding the affected property and by sending notice by mail to any person who has an application pending before the City Planning Department for a permit or license with respect to the affected property. Additionally, the Commission shall publish said notice on one occasion at least 10 days in advance of the hearing date in a newspaper of general circulation within the City and County. The hearing by the full Commission shall be open to the public, and testimony and evidence may be received by the Commission from any interested person, subject to reasonable limitations by the Commission as to the quantity of evidence or duration of testimony to be received. The decision of the Commission shall be rendered within 5 working days after the conclusion of the hearing. If no action is taken within five working days, then the proposed change shall be ineffective and shall revert to the existing zoning. The proposed set-back or reclassification shall be adopted by the Commission if a majority of the Commission sitting at the hearing shall determine that the preponderance of the evidence establishes that the proposed set-back or reclassification will improve the use of the affected property in accordance with the overall City Plan for land use or will promote the overall purpose and policies of the City Plan for land use. In the event of an evenly divided vote, the Commission shall be deemed not to have adopted the proposed set-back or reclassification.

- "4. During the pendency of any proceedings before a panel or the full Commission and pending a determination or decision after such proceedings, processing by the City Planning Department of any application for a permit or license with respect to the affected property shall continue as if there were no proceeding pending, except that final approval of the permit shall be withheld until the rendition of a decision by the Commission against adoption of the proposed set-back or reclassification, until the expiration of the time for applying for a hearing de novo after the panel in the preliminary hearing failed to find probable cause to adopt the proposed set-back or reclassification or until the completion by the City Planning Department of the processing of the application for a permit or license with respect to the affected property, whichever occurs last.

- "5. In the event that a majority of the Commission adopts the proposed set-back or reclassification, or in the event that no application is made to the Commission for a hearing de novo after a majority of the panel in the preliminary hearing found probable cause for the proposed set-back or reclassification\*, then no application for a building permit with respect to the affected property or for any other permit or license for a new use of such property shall be approved by the Department of City Planning unless the construction and use property under that permit or license would conform both to the existing classification of such property or set-back line thereon and also to the proposed different classification or set-back; provided that if final action on such reclassification or establishment or change of building set-back line has not been taken by the Board of Supervisors during the following time periods after the start of proceedings, conformity to the different classification or set-back under consideration shall no longer be required.
- "a. Two years in the case of a city-wide or major sub-area reclassification as described in Section 306.3(b)2 of this Code;
- "b. One year in all other cases; and
- "c. In addition to the above time periods, the Board of Supervisors may by resolution extend such time for a further period up to six months.

President Rosenblatt asked if there was anyone who wished to give public testimony.

Mr. Merv Silverberg represented the District Council of Merchants. He said that the Council favors the hearing process as proposed. The Council believes, also, that a downzoning should follow completion of the hearing process.

Mr. Jim Haas represented the Neighborhood Coalition. Mr. Haas said that the Coalition was sympathetic to the concerns of builders, but believes that the proposal represents piece-meal legislation. It will make it difficult for neighborhood groups to file downzoning applications. The Coalition recommends that the Board and the City Planning Commission hold hearings to review all procedural sections of the various codes to make the permit process more efficient.

\* From here on the language is almost, but not quite, the same as that of the existing Code.

Mr. Samuel Schneider made the following statement:

"This proposal is concerned with revisions to Section 302e of the Planning Code to reduce the denial of legislated property rights without due process of law.

"Revisions to Section 302e shall be as follows:

"Private citizens who request a rezoning of various assessor's lots shall pay a fee of \$10.00 per assessor's lot with a minimum fee of \$100.00 per application.

"The petition for rezoning shall be signed by 20% of the property owners within a 300 foot radius of the property, and shall be notarized.

"The 300 foot radius map and list of property owners within that area shall be furnished to the Planning Department for use in mailing out notices for the rezoning hearing.

"An environmental evaluation shall be filed by the applicant.

"If either private citizens or the Planning Commission initiate a rezoning request the following shall apply within a 300 foot radius; all property owners shall be notified of such action by registered mail.

"The proposed zoning or the existing zoning whichever is more restrictive shall apply to all permit applications, which have been applied for 15 days or more after property owners have been notified and a majority of the property owners in the affected area have assented to rezoning of the assessor's lots"

Commissioner Starbuck asked Mr. Schneider if he had considered the impact of the proposal on an upzoning. Mr. Schneider said that it was his intent to simplify matters not to complicate them.

Mr. Mike McGill representing SPUR, said that SPUR opposes this proposed legislation. With respect to neighborhood organizations, the fee schedule seems punitive, he said. Also, he said that implicit in the proposed hearing procedure are possible violations of the Brown Act. SPUR asks the Planning Commission to respond with its own proposal for expediting the permit review process.

Mr. Vincent Walsh, President of the Residential Builders Association, said that the proposal attempts to establish a more equitable setting in which any neighborhood group could apply for a rezoning or reclassification. The way it's set up now the most restrictive provisions apply. Responding to Commissioner

Starbuck's question about the proposal's impact on an upzoning application, he said the proposed fee schedule was not excessive and that it would prevent just anyone from filing an application and tying up the entire city. Also, he said that non-profit neighborhood groups should pay their fair share.

Commissioner Starbuck asked Mr. Walsh if he had testified, on this matter, before the Planning, Housing and Development Committee of the Board. Mr. Walsh replied in the affirmative.

Mr. Arden Dannikus of the Planning Association for the Richmond, called the proposal a piece of Machiavellian legislation and said that his organization was opposed to the proposal. Also, Mr. Dannikus said that implicit in the proposal were possible violations of the Brown Act. Neighborhood groups are "watchdogs" of the public wheel and an excessive fee schedule would make it difficult for these groups to participate, he said.

Mr. Roger Boyer, of the Telegraph Hill Dwellers, said that the amendments were hastily written. The Board of Directors of the Telegraph Hill Dwellers have voted unanimously in opposition to these amendments, he said. The Dwellers agree though that the permit review process could be improved. In requesting variances, many developers cause their own delays, he said.

Mr. Passmore said that Supervisor Kopp had requested a response as quickly as possible, but that the Board of Supervisors would take no action until it received a recommendation from the City Planning Commission.

It was moved by Commissioner Bierman, seconded by Commissioner Carey and passed unanimously that this item be continued to the meeting of February 2, 1978, and that staff draft a letter to the Clerk of the Board, for referral to the appropriate committee chairman, notifying the Board of the Commission's intent to hold a public hearing on this matter.

The meeting was adjourned at 6:05 p.m.

Respectfully submitted,

Lee Woods, Jr.  
Secretary



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CITY PLANNING COMMISSION

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Minutes of the Special Meeting held Thursday, January 5, 1978.

The City Planning Commission met pursuant to notice on Thursday, January 5, 1978, at 7:30 p.m., at McKinley School, 126 Castro Street.

PRESENT: Toby Rosenblatt, President; Ina F. Dearman, Vice-President; Susan J. Bierman, George Carey, Virgil L. Elliott, Yoshio Nakashima, and Charles Starbuck, members of the City Planning Commission.

ABSENT: None

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; Bob Passmore, Planner V (Zoning), Wayne Rieke, Planner IV (Zoning), Paul Rosetter, Planner II; and Lee Woods Jr., Secretary.

Gerald Adams represented the San Francisco Examiner. Dan Borsuk represented the San Francisco Progress.

EE.75.423 - Consideration of Certification of Revised Environmental Impact Report for Expansion of Ralph K. Davies Medical Center (Franklin Hospital); Property Bounded by Duboce, 14th, Castro and Noe Streets.

After a few brief comments by commissioners on the Revised Environmental Impact Report, it was agreed that commissioners had not had sufficient time to thoroughly review the Revised Environmental Impact Report and that the item should be continued to a later date. It was moved by Commissioner Dearman, seconded by Commissioner Elliott and carried unanimously that this item be continued to January 12, 1978.

A court reporter was present and a transcript has been prepared. It is available in the files of the Department of City Planning. (File No. 75.423).

CU76.37 - Ralph K. Davies Medical Center (Franklin Hospital). Request for Conditional Use Authorization to Add a Fifth Floor to the Existing Hospital to Provide Enlarged Executive Offices and Residents' Quarters. All of Assessor's Block 3539 in R-3 and Proposed RH-3 Districts.

With respect to the Conditional Use application, after remarks by Mr. Bob Passmore of the Department of City Planning and Mr. James Johnson, an attorney representing the applicant, the Commission heard comments, both in support and in opposition to the application. Members of the audience who spoke, included:

1. Dr. Arthur M. Stormet - Proponent
2. Mr. J. S. Stubbleline - Proponent
3. Dr. Bobbie Graves - Proponent

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4. Dr. David Holbrook	-	Proponent
5. Dr. David Lillien	-	Proponent
6. Dr. Bernard Alpert	-	Proponent
7. Ms. Anne shew	-	Proponent
8. Mr. Paul Ingles	-	Proponent
9. Mr. Dorthea Johnson	-	Proponent
10. Mr. Peter Pursley	-	Opponent
11. Mr. Dale Champion	-	Opponent
12. Mr. Mike Thomas	-	Opponent
13. Ms. Nickey Kaiser	-	Opponent
14. Mr. Jack Hauser	-	Proponent
15. Mr. Joe Bell	-	Opponent
16. Ms. Mary Lane	-	Opponent
17. Mr. Jim Rivaldo	-	Opponent
18. Mr. John Johnck	-	Opponent
19. Dr. Reuben Zumwalt	-	Proponent
20. Mr. Stan Smith	-	Proponent
21. Mr. Mike Kalina	-	Opponent
22. Mr. Eugene Mayo	-	Opponent
23. Mr. Desebee Miles	-	-
24. Mr. John Sanger	-	Opponent
25. Mr. Michael Coglein	-	Opponent
26. Ms. Laurie Puente	-	Opponent
27. Ms. Karen Apana	-	Opponent
28. Mr. Chester Zaczkiewicz	-	Proponent
29. Mr. Morris Evanson	-	Proponent
30. Ms. Susan Edwards	-	Opponent
31. Mr. Loran Wyman	-	Opponent
32. Mr. William Ryan	-	Opponent
33. Mr. Alan Brotsky	-	Opponent
34. Ms. Luchia Bogatay	-	Opponent

After the last of the public testimony had been heard, it was moved by Commissioner Starbuck, seconded by Commissioner Bierman and carried unanimously to close the public hearing on the Conditional Use Application.

There was a second motion by Commissioner Starbuck to continue the Conditional Use application until January 12, 1978. It was seconded by Commissioner Bierman and carried unanimously.

A court reporter was present and a transcript has been prepared. It is available at the Office of the City Planning in file No. CU76.37.

The meeting was adjourned at 10:40 p.m.

Respectfully Submitted,

Lee Woods  
Secretary

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Minutes of the Regular Meeting held Thursday, January 12, 1978.

The City Planning Commission met pursuant to notice on Thursday, January 12, 1978, at 1:00 p.m., at Nourse Auditorium, 125 Hayes Street.

PRESENT: Toby Rosenblatt, President; Ina F. Dearman, Vice-President; Susan J. Bierman, Virgil L. Elliott, Charles Starbuck and John Wentz, members of the City Planning Commission.

ABSENT: Yoshio Nakashima, member of the City Planning Commission.

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; Robert W. Passmore, Planner V (Zoning); Alec Bash, City Planning Coordinator; Paul Rosetter, Planner II; Mark Winogrand, Planner III; Gary Craft, Planner II; Mary Anne Miller, Planner II; Carol Sugarman, Planner I; Douglas Holmen, Planner II; and Lee Woods, Secretary.

Gerald Adams represented the San Francisco Examiner and Dan Borsuk represented the San Francisco Progress.

## CURRENT MATTERS

CONSIDERATION OF DRAFT RESOLUTION DIRECTING THE DIRECTOR OF PLANNING TO REPORT DIRECTLY TO THE PROPER CITY AGENCIES ON REFERRALS THAT DO NOT AFFECT THE MASTER PLAN OR ARE CLEARLY IN CONFORMITY WITH THE MASTER PLAN.

After some discussion by the Commissioners, President Rosenblatt suggested that, in those instances where the staff clearly felt that a referral was in conformity with the Master Plan or did not affect it, it might be appropriate for the staff to include those referrals in a "consent" calendar. Mr. Passmore agreed that the staff could experiment with President Rosenblatt's suggested procedure. The Commission agreed to this procedure.

Rai Y. Okamoto, Director of Planning, reported that he had received a letter from the Civil Service Commission, which outlined two options with respect to the Assistant Director's position. Either the position could be downgraded to parallel a position in one of the management series or it could be upgraded, with commensurate duties and responsibilities, to a position of Deputy Director. The Director said that a letter was being drafted to Civil Service. It would stress that only the second of the two options would meet the needs of the Department.

The Director reported that the Waterfront Advisory Committee would meet on January 16 at 3:30 p.m. in front of the Ferry Building for a field trip along the Embarcadero Promenade.

The Director noted that the Commission's meeting next week on the Proposed Residential Zoning Text would be held in the evening at 7:30 p.m. in Room 282, City Hall. He also noted that the Implementation Committee of the Commission would meet at 11:00 a.m. in Room 282, to continue its discussion of Condominium Conversion and the Housing Stock.

The Director reported on a meeting with staff of the Presidio concerning the Master Plan of the Presidio and he said that additional meetings would be scheduled.

The Director reported on his memorandum to staff detailing the recent Commission recommendations concerning matters to be scheduled for public hearings, and he noted that delay had occurred in the sending of recent Commission resolutions to the Airport Commission.

Robert W. Passmore, Planner V (Zoning), reported on a recent matter before the Board of Permit Appeals concerning plans for a one-family house at 165 Belgrave Street. Commissioner Starbuck moved and Commissioner Bierman seconded a motion requesting the staff to send a letter to the Board of Permit Appeals informing the Board of a recent similar matter decided by the Commission.

Commissioner Starbuck requested that the staff of the Department make an oral presentation to the Commission at a future meeting regarding the Upper Market Roadway Plan. He also requested that the recent resolution of the Commission concerning the Subdivision Code be sent immediately to the Board of Supervisors since a Code change is on the Board's calendar for Monday, January 16, 1978.

Commissioner Starbuck asked President Rosenblatt to read a Commission letter sent to Mark Winogrand, Director of the Residential Zoning Study, commending him for his fine work on this project. Commissioner Bierman added her commendation and Mr. Winogrand thanked the Commission and acknowledged the work of his staff and the support of the whole Department in this effort.

Commissioner Bierman asked about the final action of the Board of Supervisors in the Brotherhood Way reclassification approval by the Commission. The Director reported that the Board had disapproved the reclassification last week.

Commissioner Dearman asked about the status of minutes of previous Commission meetings and the Secretary described the status and said that minutes would be submitted at future meetings for approval.

#### PUBLIC HEARING ON PROPOSED WORK PROGRAM AND BUDGET FOR THE DEPARTMENT OF CITY PLANNING FOR FISCAL YEAR 1978-79.

Members of the Commission had participated in work program planning sessions. Commissioner Bierman moved adoption of the Proposed Work Program and Budget for the Department for the Fiscal Year 1978-79. It was seconded by Commissioner Elliott and passed unanimously.

EE77.217 - PUBLIC HEARING ON APPEAL OF ENVIRONMENTAL IMPACT REPORT  
REQUIREMENT FOR HELIPORT ON PIER 46A.  
(CONTINUED FROM THE MEETING OF NOVEMBER 17, 1977.)

Robert W. Passmore, Planner V (Zoning), announced that the appellant was not able to attend the hearing and that a continuance, to February 9, 1978, had been requested.



Commissioner Wentz moved that the matter be continued to February 9, 1978, and it was seconded by Commissioner Elliott and passed unanimously.

EE76.182 - PUBLIC HEARING ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED AMENDMENTS TO THE TEXT OF THE CITY PLANNING CODE AND TO THE ZONING MAP RELATING TO RESIDENTIAL DISTRICTS AND DEVELOPMENT.

Sam Schneider, building design engineer, said that the proposed reduction in zoning densities would increase the cost, even though subsidized, for any low- and moderate-income housing. He said that since Federal funds were allotted with certain flat requirements, the more money spent on an individual project, less projects would be built. He further said that with this downzoning, there would be a continued 2-3% vacancy factor through the years which would cause increasingly higher rents and increasing hardship on people with limited income, and also hardship to elderly people. Referring to a point in the report that some low- and moderate-income housing could be built by such subsidized groups as Mission Housing Development Corporation and Hunters Point Housing Development Corporation and that therefore these organizations would have to conform to all elements of the proposed mapping and proposed text, he said that this would bring greater hardship than they are experiencing right now. He further said that small builders would not go into an area where existing residential construction was not present and, that if one had to wait for large scale development of the M zones, it meant waiting many years for that.

Victor Dexter, a property owner, said that property owners should be consulted before anything is planned.

Steve Weinstein, a renter, said that since rezoning underutilized commercial and industrial areas for housing was a fundamental element of the proposed residential zoning plan, the residential zoning plan could only be intelligently adopted after the commercial and industrial zoning plan was completed. Hence, he said, the current hearings were premature. He said that the rezoning proposal must consider:

- the possible destruction of the City's already depressed industrial sector,
- the public health consequences of housing in areas heavily beset with traffic, noise and pollution,
- the cost of providing needed private and public social services, and
- the economic feasibility of building in these areas.

He further said that the subsidy alternative was mentioned without discussion of available or potential programs by which low- and moderate-income families would qualify for assistance, the cost of such programs or how they would be financed. The Gruen Study on pg. 43, he said, anticipates that the proposals would result in an unspecified decline in the City's tax base. This combined with a population decline would result in a higher per capita tax burden for individuals and businesses. He said that if public housing is built in industrial areas, more property

would be removed from the tax rolls. These revenue consequences, he said, must be quantified in the EIR. He further said that the Gruen Study concludes that the elimination of low- and moderate-income housing would continue under either the proposed amendments or the pre-May 1976 zoning plan. This, he said, suggested that both schemes were too restrictive, and the Planning Commission should consider up-zoning areas of the City to increase the housing supply. He commented that the draft EIR did not discuss whether economic, social, or environmental considerations would justify a mandated increased population density (up-zoning) of various areas of the City or the feasibility of up-zoning only residential areas to make-up for the potential housing which cannot be built if the proposed amendments were adopted. He suggested that the free market alternative should be considered. This, he said, would allow the market to meet demand and eliminate the expensive and time-consuming planning process now employed. Referring to page 57 of the draft EIR, he said that it stated that buildings over forty feet in height in areas with higher height limits would require conditional use procedures. No reason was given for the additional red tape. If the Planning Commission planned to use this conditional use restriction as a backdoor means to substantially foreclose construction of buildings higher than forty feet in residential areas where they are allowed, the EIR must so state, he said. He pointed out that there was no discussion of the relationship between this report and the ABAG proposals, which suggested increased densities in areas already developed. He asked where were people going to live in the Bay Area if most of the City was downzoned. He further asked that if the proposed amendments increase the suburban commuter population, would the deterioration (in air quality) be within permissible Federal and State air pollution levels, and if not, how would these standards be met.

John F. Rainsford, a builder, said that there would have been far more input from people if they were made aware of the EIR document and asked why wasn't it mailed with the other information.

Vincent Walsh, President, Residential Builders Association, asked if environmental impact information would be allowed at each one of the district meetings. He suggested that a log book be kept of the people attending the meeting. If you take away the builders, reporters, planning staff, and professional meeting attendees, you will have a good idea of how well we are reaching the public, he said.

Commissioner Wentz asked why the demand for housing was increasing if the population was decreasing. Mr. Winogrand said that the number of households was increasing and therefore the demand.

Commissioner Elliott moved, Commissioner Wentz seconded and it was unanimously called to continue this matter to January 19, 1978.

ZT78.3 - CONSIDERATION OF PROPOSED COMPREHENSIVE AMENDMENTS TO TEXT OF THE CITY PLANNING CODE PERTAINING TO RESIDENTIAL ZONING. THESE AMENDMENTS WOULD REVISE, IN THEIR ENTIRETY, THE WRITTEN REGULATIONS GOVERNING RESIDENTIAL DEVELOPMENT AND USE IN SAN FRANCISCO, AMENDING CITY PLANNING CODE ARTICLES 1, 2, 2.5, 3 AND 6, DELETING ARTICLES 4 AND 5, AND ADDING ARTICLES 1.2, 1.5 AND 1.7. CONSIDERATION OF THESE PROPOSED TEXT AMENDMENTS WILL BE CONTINUED ON JANUARY 19, 1978, AT NOURSE AUDITORIUM, 125 HAYES STREET, AT 7:30 P.M. (HEARINGS ON THE PROPOSED CHANGES TO THE ZONING MAP WILL BE HELD IN FEBRUARY.)

Jim Haas of the Coalition of San Francisco Neighborhoods, said that the Coalition was in favor of the Residential Zoning Study.

Doug Engman made the following statement:

"The Coalition for San Francisco Neighborhoods has recommended certain changes relating to principal and conditional uses in the proposed use districts. These changes are necessary to make the Code consistent, to eliminate those uses clearly detrimental to neighborhood life, and to continue those uses compatible with the quality of life in San Francisco neighborhoods.

"We are reserving comment on the use districts themselves and the residential density that each allows.

"SECTION 209.2 - OTHER HOUSING

(a) Group housing, boarding....

CHANGE PRINCIPAL TO CONDITIONAL USE IN RM-1 - RM-4 DISTRICTS

(b) Group housing, religious orders...

CHANGE PRINCIPAL TO CONDITIONAL USE IN RM-1 - RM-4 DISTRICTS

"These types of group housing often are controversial and involve more than housing components. They should be reviewable as conditional uses in RM districts as well.

"SECTION 209.3 - INSTITUTIONS

(a) Hospital, or other medical institution, which includes clinics...

DELETE THIS SECTION AS A CONDITIONAL USE IN ALL RESIDENTIAL NEIGHBORHOODS.

"Hospitals and medical centers have a recognized detrimental impact on residential neighborhoods in San Francisco. Their expansion has caused tremendous hardships on San Franciscans and caused extreme controversy in the City. Yet, the new residential zoning ordinance broadens rather than re-



stricts further the expansion potential of hospitals. For example, medical offices are now allowed as part of a hospital, whereas the old code, as interpreted by the courts, prohibited them. (It should be noted that the new ordinance completely prohibits any other professional offices in residential districts.) Also with hospitals as a conditional use, the ordinance allows new hospitals to be constructed in residential neighborhoods. Therefore, we recommend that all hospitals be made non-conforming uses without termination dates in residential neighborhoods, thereby prohibiting new hospitals from being constructed and old hospitals from expanding.

- "(d) Clinic primarily providing out-patient care in medical psychiatric or other healing arts, not part of a medical institution as specified in Subsection 209.3(a) above, as licensed under the California Health and Safety Code.

AMEND AS INDICATED AND ALLOW AS DISTRICTS CONDITIONAL USE IN RH-3, RM AND RC.

"While allowing hospitals as a conditional use which have a tremendous impact on the neighborhood and which often don't serve the immediate area, the new code prohibits clinics in residential areas. This is extremely inconsistent and bad policy; medical clinics are designed to serve the surround areas and obviate the need for hospitals. They should be allowed as a conditional use in residential neighborhoods.

- "(e) Philanthropic facility...

ADD CONDITIONAL USE IN RH-3, RM, AND RC DISTRICTS.

"The new code prohibits these types of facilities in residential neighborhoods when, in fact, these facilities often serve residents. These would prohibit, for example, offices of neighborhood organizations. This is clearly unreasonable.

- "(g) Child care facility...  
(h) Elementary school...  
(i) Secondary school...  
(k) Church...

CHANGE FROM PRINCIPAL TO CONDITIONAL USE IN RC DISTRICTS.

"There is no reason why these should be principal uses in RC districts when they are conditional uses in other residential neighborhoods.

- "(j) Post-secondary educational institutions...

DELETE.

"Next to hospitals, universities have the biggest impact on neighborhoods. For the same reasons they should be made non-conforming uses in residential neighborhoods.



"SECTION 209.4 - COMMUNITY FACILITIES

- (a) Community clubhouse...
- (b) Private lodge...

"SECTION 209.5 - OPEN RECREATION AND HORTICULTURE

- (a) Open recreation...
- (c) Greenhouse...

CHANGE FROM PRINCIPAL TO CONDITIONAL USE IN RC DISTRICTS.

"For same reasons as above.

"SECTION 209.6 - PUBLIC FACILITIES AND UTILITIES

- (a) Public structure or use of a non-industrial character...

CHANGE FROM PRINCIPAL TO CONDITIONAL USE IN ALL DISTRICTS.

"This use is too vaguely defined and would allow numerous 'public' activities with a tremendous impact on a neighborhood. It should be a conditional use."

Arden Danekas made the following statement:

"I am N. Arden Danekas, President of the Planning Association for the Richmond and representing the Coalition for San Francisco Neighborhoods in Article 1.2 demensions, areas and open space.

"The intent in Section 206, description and purpose of residential districts is paragraph (b) 'Recognition and protection of the architectural characteristics and dimensions of existing residential areas.'

"This statement sets out the intent of the article and clearly says in words what the neighborhoods have been pushing for in times past. The builders have made remarks to the point that they see what the new rules are designed to do. But Glory, Hallelullah won't it be the day when they see why? Won't that be a day, though? It will be like the prodigal son come home at last.

"This section clearly addresses itself to the myriad of problems that can be characterized as 'looks'. It is a legislated design review of long needed proportions. It touches upon yard requirements, front and rear setback requirements, usable open space, bay windows, encroachments on public property and open space, screening of parking, garage doors, street trees, entrances and eliminates the huge square ugly overly long builders box.

"Specifically the things that we stated at the beginning of this entire effort several years ago have been addressed in some manner or another.

- "1. The terrible jutting out of buildings beyond the fronts of the adjacent buildings.
- "2. Buildings longer than 35' frontage have to be busted up with facade treatments.
- "3. The long building on a sloping lot has to be stairstepped instead of a long straight very high out of scale approach as is used by the builders now.
- "4. Bay windows have been treated and affirmed again, and again, and again.
- "5. No open car ports are allowed. This is a significant safety feature.

"The limitation of size and number of garage doors to provide more on-street parking, better facade treatment from that limitation and the provision for planting areas. None of these existed in the past.

"Height limits on sloping lots have been addressed. As the examiner in an editorial some years back regarding the calculations of height limits at playland by the Director then in charge. The paper said the treatment was 'novel, at best', when a building 200' high was okayed in a forty foot height district. This novel and even cavalier way has been addressed.

"It is nice to see floor area ratios adopted for institutions in residential areas.

"Required landscaping of front set-back areas is good but needs to be beefed up to include maintenance as well.

"On page 1.2-14, Sec 134(c)3. Some mischief is possible in the paragraph because of the wording. An accumulation of lots and judicious tearing down of buildings could negate this section without a previous set-back clause.

"It is nice to see conditional use required for any building in excess of 40'. A limit in RH-1 districts to 35' will help the character of the areas it covers.

"A real attempt to provide usable open space has been made. We have a few words here and there that need changing and clearer definitions of some sections. For instance in Sec. 135(a), indoor and outdoor open space needs to be clearer and a better term for 'household utility space' needs to be selected.

"The gigantic list of permitted obstructions in Sec. 136 needs to be lived with for a while to see how they work out in practice. This is an area for the builders to practice up on their new bit of vocabulary, the 'why' of all this and use the term accordingly.

"Our list of additional ideas includes the following:

"Sec. 142(a), Page 1.2-36 - needs a change on the emphasis from screening parking to screening from all view all parking. It should read 'every off-street parking space within a building, where not enclosed by solid building walls, shall be screened from view from all streets and alleys through use of garage doors or by some other means'.

"Sec. 144(a) - entrances, off-street parking we wonder why RM-3 and RM-4 districts are not included and recommend that they be so included. All other R districts are included. This is an important point for off-street parking and facade entrances.

"Sec. 132(b) - page 1.2-7 - should be dropped. We believe that this would lead to mischief in the set-back requirement in the long run. It would subject the neighboring property front windows to views from a deck or glass door, or whatever, that might not otherwise be provided. As it is now lot line walls cannot contain windows to look into the neighbors yard and house unless the walls are set back three feet from the lot line. The proposed treatment in Sec. 132 would foster this kind of window in a side wall that could look into the neighbors business.

"There should be some mention somewhere of lots less than 25' and their use on a conditional use basis. It might promote better use with some criteria.

"Now if we could only adopt design review we just might have something and we surely encourage you to think about it. Thank you."

John Beckan of the Pacific Heights Association said that he supported the Residential Zoning Study.

Pious Lee of the Chinese American Republican Club said that the Club favored upzoning and opposed downzoning, specifically in the Richmond district where there were 4000 Chinese property owners. He said that these property owners had invested \$340 million in the Richmond district.

He requested that the next meeting be advertised in a Chinese newspaper because they did not speak English. He further said that the Commission should provide Chinese interpreter at the meeting.

Stan Herstein said he wished to discuss livability in neighborhoods, and specifically the Nob Hill Special Use district. He requested that Article 2, Section 238, Subsection C, be included in the new proposed zoning text.

Sam Schneider said that he opposed downzoning and that it was unfair to burden contemporary housing with the design of older buildings and different lifestyles. Mr. Schneider said that he opposed many things in the new proposed code, including provisions for rear yard setbacks and parking and garage doors.

John Bardis, President of the Inner Sunset Action Committee, said that they favored the Residential Zoning Study and submitted detailed written comments on the Residential Zoning Study.

Mike Lew, an engineer and resident of San Francisco, said that his family had been in San Francisco for four generations. He said he was concerned about Article 1.2, Section 135, regarding the use of open space. Let the architects and designers do the design, he said.

Emily Schulman made the following statement:

"On behalf of a majority of members of the West Bay Hospital Conference, the following comment is offered:

"After reviewing the Proposed Residential Zoning Revisions, we respectfully request that the 'Institutional District' description be substituted for present institutional sites which would be labeled 'residential' under the proposed plan.

"We request this not only for hospital, but for other institutions such as schools, and religious institutions as well.

"The purpose of an institutional district, like a residential or commercial district is to specifically define the existing function of that area. An institutional designation will define and limit the area in which an institution may expand. Therefore, it will serve to protect the integrity of actual residential districts.

"Furthermore, it is extremely unrealistic, and somewhat arbitrary, to expect an institution to conform its building requirements to that of a residence. This is especially true since the sites to which we refer are not being used for residential purposes at the present time.

"Since any new construction by an institution would require a conditional use permit, the City Planning Commission would still maintain control over specific instances of over-expansion, should they arise.

"However, to ignore the needs and requirements of San Francisco's institutions, by wiping them off the face of the zoning map is to ignore reality. Similar to commercial areas, or residential areas, institutions not only exist in San Francisco, but also contribute valuable community services. A separate 'institution' designation will serve to recognize their function, acknowledge their unique needs, and allow for controlled growth within specified and limited areas.

"The end result of this will be to protect and preserve existing residential areas."

President Rosenblatt said that the next public hearing on the Residential Zoning Study and Environmental Impact Report will take place on January 19th. He asked if there was a motion to continue at that time. It was moved by Commissioner Elliott, seconded by Commissioner Wentz and carried unanimously to continue the meeting to June 19, 1978.



EE75.423 - CONSIDERATION OF CERTIFICATION OF FINAL ENVIRONMENTAL IMPACT REPORT FOR EXPANSION OF RALPH K. DAVIES MEDICAL CENTER (FRANKLIN HOSPITAL); PROPERTY BOUND BY DUBOCE, 14TH, CASTRO AND NOE STREETS.  
(CONTINUED FROM SPECIAL MEETING OF JANUARY 5, 1978.)

Commissioner Dearman moved that the Final Environmental Impact Report be Certified. Commission Bierman seconded and the matter was carried unanimously that the draft resolution be ADOPTED as City Planning Commission Resolution No. 7879.

CU76.37 - RALPH K. DAVIES MEDICAL CENTER (FRANKLIN HOSPITAL). REQUEST FOR CONDITIONAL USE AUTHORIZATION TO ADD A FIFTH FLOOR TO THE EXISTING HOSPITAL TO PROVIDE ENLARGED EXECUTIVE OFFICES IN R-3 DISTRICTS.  
(CONTINUED FROM SPECIAL MEETING OF JANUARY 5, 1978.)

After introductory remarks by Robert Passmore, Planner V (Zoning), Mr. James Johnson, representing the applicant, said that the Hospital and Medical Center had been surprised by the staff's recommendation at the meeting on January 5th. He said that the Medical Center had possibly not documented the need for additional space in sufficiently great detail. He requested a continuance. He said that the additional time would permit the Hospital to produce more information related to its space needs. It would permit also further consultation between staff, Hospital and neighborhood groups.

John Sanger, a member of the Board of Directors of the Duboce Triangle Neighborhood Association said that the Hospital and its EIR consultants had been asked to provide all the information in its EIR related to its Master Plan. He said that he was amazed that the Hospital was surprised to discover what the community's concerns were.

Commissioner Elliott suggested that the Hospital might seek to find other areas in the Hospital which might be used to meet its needs for additional Administration-Records Keeping Library space.

President Rosenblatt said that the solution proposed was not the best solution but that he was convinced of the need for additional space. He suggested that there must be alternative ways of meeting the needs.

Commissioner Bierman said that it seemed that what the Hospital was asking for was another project. Robert Passmore, Planner V (Zoning), suggested that the application as filed could be denied, and it would relate to only the one design. Commissioner Bierman asked if the denial would preclude everything. Mr. Passmore said no.

It was moved by Commissioner Starbuck, seconded by Commissioner Bierman and passed unanimously that Resolution No. 7880 be adopted and that the Conditional Use application be disapproved.

CU77.56 - 300 LAKE STREET, NORTH SIDE, OPPOSITE THE END OF 4th AVENUE, IN AN R-2 DISTRICT.  
CONDITIONAL USE APPLICATION, PROPOSING TO REPLACE THE EXISTING HOME FOR THE AGED WITH ACCOMMODATION FOR APPROXIMATELY 120 ELDERLY PERSONS.  
CONSIDERATION OF FINAL PLANS IN ACCORDANCE WITH CITY PLANNING COMMISSION RESOLUTION NO. 7860.  
(CONTINUED FROM MEETING OF DECEMBER 8, 1977.)

The Director indicated that this matter was before the Commission pursuant to Commission Resolution No. 7860 which related to review of final plans for the proposed facility.

Mr. Derek Parker, an architect representing the applicant, used a scale model, of the proposed facility, to describe design features of the project.

After Mr. Parker's presentation, the Director indicated that the architect had responded to a number of staff concerns related to the project's compatability with surrounding areas. It was the staff's recommendation, he said, that the Commission approve the final plans as submitted.

Commissioner Elliott moved approval of the staff recommendation. It was seconded by Commissioner Wentz and the matter passed by a vote of 5-1. Voting "Aye": Commissioners Bierman, Dearman, Elliott, Rosenblatt, Wentz; voting "No": Commissioner Starbuck.

Commissioner Bierman expressed concern because, she said, there is a desperate need for senior citizen housing in this City. She said that she hoped that a way could be found to restore the home and to retain the existing level of occupancy. She expressed hope that the applicant would make every effort to work with other groups to achieve this end.

DR77.82 - DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION  
NO. 7712271 FOR A ONE-FAMILY HOUSE AT 64 VAN BUREN STREET.  
(CONTINUED FROM MEETING OF JANUARY 5, 1978.)  
REQUEST FOR DISCRETIONARY REVIEW WITHDRAWN AND MATTER NO  
LONGER BEFORE CITY PLANNING COMMISSION.

Mr. Passmore indicated that the issue of neighborhood concern had been resolved and that the request for Discretionary Review had been withdrawn and that the matter was no longer before the Commission.

The meeting was adjourned at 6:00 p.m.

Respectfully submitted,

Lee Woods  
Secretary

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Special

SAN FRANCISCO  
CITY PLANNING COMMISSION

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Minutes of the Special Meeting held Thursday, January 19, 1978.

The City Planning Commission met pursuant to notice on Thursday, January 19, 1978, at 7:30 p.m. in Room 282, City Hall.

PRESENT: Toby Rosenblatt, President; Ina F. Dearman, Vice-President; Susan J. Bierman, Virgil L. Elliott, Yoshio Nakashima, Charles Starbuck, John Wentz, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; Robert W. Passmore, Planner V (Zoning); Mark Winoground, Planner II; Robert Feldman, Planner II; Mary Anne Miller, Planner II; Gary Craft, Planner II; Carol Sugarman, Planner I; and Lee Woods, Secretary.

Gerald Adams represented the San Francisco Examiner and Don Borsuk represented the San Francisco Progress.

President Rosenblatt opened the meeting and invited the public to give testimony on the items on the calendar.

EE76.182 - PUBLIC HEARING ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED AMENDMENTS TO THE TEXT OF THE CITY PLANNING CODE AND TO THE ZONING MAP RELATING TO RESIDENTIAL DISTRICTS AND DEVELOPMENT.

(CONTINUED FROM MEETING OF JANUARY 12, 1978.)

Don Wong, Chinatown Coalition for Better Housing, read the following statement:

"In reviewing the EIR, it becomes very clear that beyond speaking to the broad issue of potential impacts, many specific questions remain unanswered. For example, he asked:

- how much will the rents increase?
- how much will the sales prices increase?
- how much will property taxes increase?
- where will low income households look for housing?

"Commercial and industrial areas of the city, specifically the waterfront and south of Market, are already in the thick of economic and City Politicking to transform these areas to largely offices, luxury apartments, condominiums, commercial recreation, promenades for tourist, and more intensive commercial uses. To hope these areas will result in large quantities of mixed income housing is wishful thinking.... It is a sad and misleading mitigation factor to put before committees such as ours.

"How can low income persons have a geographic choice in housing in those areas of the City blanketed with RH-1 and RH-2 designations. Where is the EIR's data and analysis of this issue?

"The coalition would like to recommend that the City Planning staff revise its EIR as follows:

1. Provide more data, analysis, and projections of potential negative impacts as they relate to low-income and minority housing needs;
2. Determine the negative impact of the proposed zoning, particularly downzoning, of providing low-income households with quality and choice of housing, both in terms of cost and geographic location;
3. Recognize and explore the apparent conflicts between the proposed zoning impact and the City and the national policies for integrating neighborhoods ethnically, racially, and economically.
4. Provide a more realistic assessment of the mitigating measure proposed and present additional recommendations."

Jenny Lew, Chinatown Neighborhood Improvement Resources Center, made the following statement:

"The EIR does not even begin to explain the negative impact this proposed residential zoning will have on the distribution of low-income households throughout the City.

"These proposed zoning revisions are going to have a negative impact on the supply, quality, and distribution of low-income housing in the City. But, the so-called mitigation measures have little, if any, impact on the low-income housing situation.

"Other measures to promote and preserve low-income housing in the City should be investigated, such as:

- land banking sites, similar to Prop. J open space acquisition, for low-income housing;
- include specific requirements for low-income housing units in official plans for the waterfront and south of Market areas;
- rent control mechanisms."



Emily Schulman, representing West Bay Hospital Conference, made the following statement:

"The EIR has not addressed adequately, nor has it addressed at all, the alternative of an institutional district for hospitals, schools, and other institutions.

"We feel that by downzoning certain hospital districts into residential districts that health care will be adversely affected San Francisco's residents and workers. We respectfully request that the EIR be revised and incorporate some of these concerns."

John Rainsford, General Building Contractor, made the following statement:

"The greatest building of all time is occurring in the downtown area. Umpteen thousands of square feet of office space are going to be available this year, next, and the next couple years. At the same time, and with the same Planning Department, we are reducing the supply of housing. Who are we creating this office space for?

"Property taxes will increase placing a greater burden on the elderly and others with a fixed income. Loss of residential property tax revenue will have to be made-up through increased taxes elsewhere."

Doug Engman, of the Board of Permit Appeals, made the following statement:

"The proposed zoning may have a different impact on low-and moderate income housing than what the EIR states. For example, we have seen developers demolish single-family homes, two-family flats, and three-family flats with low rents - buildings which are generally undervalued because they are perhaps not in the greatest shape - and replaced by 6-unit and 12-unit small apartment-type complexes which basically serve people who work downtown and who are primarily white and primarily single.

"As pointed out, this EIR really does not consider proposed future sites for public housing and where in the City we can consider sites for public housing.

"Consideration of the South of Market and the Southeast is deficient as a mitigating factor, because it does not talk about any of the problems of housing down there, such as five zones and restrictive building and housing codes.

"Spend the money and do a really good EIR and look at such things as:

- how many units have been demolished by developers;
- what were the prices paid for those units;
- what were the rents in those units;
- what were the ethnic and income make-up of those units;
- how many units have been demolished by institutions in this city and what impact does that have;
- what is the price of new housing that has been built over the last ten years and who lives in that new housing;
- what is their income structure;
- what has been the impact of new housing in vacant areas in terms of cost to the city for fire, police and increased traffic."

Samual Schnieder, Residential Builders' Association, made the following statement:

"Let's remember that, this shortage of new housing has an effect on rents of all housing, such that all housing rents must go up. This has been happening throughout the City because the pressure for housing continues very tight and has increased through the years. It also increases the speculation in housing.

"Under the proposed code, the building envelope becomes smaller and smaller for a given lot. This effects not only the private developer, but it also effects every agency that is involved in constructing residential housing.... That means less housing can be built on a given lot and the cost of housing per apartment dwelling goes up. That means higher rents or higher subsidies. The Public Housing Authority's program for scattered housing throughout the City will be grossly affected by this."

A transcription of the proceedings is available in the files of the Department of City Planning.

ZT78.3 - CONSIDERATION OF PROPOSED COMPREHENSIVE AMENDMENTS TO TEXT OF THE CITY PLANNING CODE PERTAINING TO RESIDENTIAL ZONING. THESE AMENDMENTS WOULD REVISE, IN THEIR ENTIRETY, THE WRITTEN REGULATIONS GOVERNING RESIDENTIAL DEVELOPMENT AND USE IN SAN FRANCISCO, AMENDING CITY PLANNING CODE ARTICLES 1, 2, 2.5, 3 AND 6, DELETING ARTICLES 4 AND 5, AND ADDING ARTICLES 1.2, 2.5, 1.7.

(HEARINGS ON THE PROPOSED CHANGES TO THE ZONING MAP WILL BE HELD IN FEBRUARY.)

Irene Laspa of League of Women Voters of San Francisco, made the following statement:

"The League of Women Voters of San Francisco supports the implementation of the Proposed Residential Zoning Revisions which support the broad principles of the City's Urban Design Plan. The objectives of the Proposed Residential Zoning Revisions achieve this by protecting the character of existing neighborhoods as well as allowing for new building.

"San Francisco is known nationwide as an aesthetically beautiful City in which the physical quality of the environment enhances living. New features in the Proposed Residential Zoning Code, such as the averaging of front set-backs and rear yard dimensions, Sec. 143 on street trees, Sec. 144 on curb cuts, Sec. 145 on building stepping and controls on heights of front facades in RH-1 and RH-2 districts, insure that residential areas do not lose their unique character and human scale.

"The Proposed Zoning Controls pay attention to realities of San Francisco today. The extension of the concept of usable open space to all districts recognizes that back yards and open space are limited in San Francisco. The off-street parking requirements acknowledge that half the City's cars are small sized."

"The Plan includes opportunities for new building by allowing residential development in industrial districts and by extensive mapping of RH-2 districts, the latter recognizing that the single family house is economically prohibitive for most families in the City.

"The League of Women Voters of San Francisco supports ways to increase the supply and improve the quality of housing for low and moderate income groups. We agree with the Environmental Impact Report that low and moderate income housing probably cannot be widely expanded privately under either the former or the proposed residential zoning code. The Proposed Residential Zoning changes we believe would meet the objective of fostering an upgrading of existing housing stock in the City.

"This highlights the City's dilemma on how to retain its middle income people. We urge the Planning Commission as well as all sectors of City government to adopt the search for answers to this problem as its next priority.

"We also urge that the City maintain a continuous profile and inventory of available housing, particularly to insure that there will be documentation of the effects of these Zoning Proposals in the future.

"Overall, the Proposed Residential Zoning Code will maintain and improve the quality of life in San Francisco.

"The League of Women Voters would like to commend the Planning Commission and staff for their widespread notification and involvement of the public in this Residential Zoning undertaking."

Anita Banash-Arlen of the Friends of Noe Valley spoke as follows:

"My name is Anita Banash-Arlen and I represent Friends of Noe Valley. We are a neighborhood organization concerned with the interests of residents and the quality of life in Noe Valley, and I am here tonight to express our views and feelings regarding the proposed RC-1 zoning for 24th Street between Chattanooga and Diamond Streets.



"On November 29, 1977, when the Planning Staff presented its proposed rezoning plan, we were initially pleased that the Planning Staff had designated this six block section of 24th Street as RC-1, because the alternative C-1 or C-2 was far too liberal in allowing commercial development in our area. It seemed to us that RC-1 would represent a zoning that would hopefully retain this stretch of 24th Street as a combined residential/commercial area, as opposed to emphasizing non-residential use. However, upon receipt of the text from the Planning Department, detailing the Permitted and Conditional Uses under RC-1, we were disappointed that many commercial uses were freely permitted above the ground floor over the retention of residential space. We essentially would like to see RC-1 modified to more fully represent both residential and commercial concerns, and have noted our revisions for permitted uses in parentheses under RC-1 uses in Chart A of the handout.

"If I can for a moment compare RC-1 zoning with RM-1, a zoning which is most comparable in type of housing and density to the RC-1 district, you will note on Chart A of the handout that under RM-1 all but three uses are Conditional for all stories, as opposed to the majority of uses under RC-1 being Permitted for all floors. If you compare the Uses under both RC-1 and RM-1, particularly those Uses designated by an asterisk which are permitted in RC-1 and either conditional or not permitted in the RM-1 district, with permitted uses under C-1, it is evident that although RC-1 designates a residential/commercial use area, it is much more oriented to commercial-non-residential use, with but a few concessions to the residential community.

"When the Noe Valley groups in January 1977, applied for the more restrictive R-3-C zoning available at the time, they did so with the intention of preserving residences above the ground story. We fully agree with the text definition of RC-1: 'These districts provide for a mixture of low-density dwellings similar to those in RM-1 districts with certain commercial uses of a very limited nature. The commercial uses are those permitted in C-1 districts, located in or below the ground story only and designed primarily for walk-in trade to meet the frequent and recurring needs of nearby residents....', however, we fail to see why these concepts have not been followed through in the permitted uses under RC-1.

"Many individuals living above commercial uses on 24th Street are dependent upon the close proximity to the neighborhood shopping. What is to become of these individuals, primarily of low-and moderate income, who are displaced from not only their homes, but also possible from the community of Noe Valley, itself, when landlords decide to create more space for expanded retail and business development? If RC-1 is 'designed primarily for walk-in trade...' as stated in your text, who will these nearby residents be if they are all displaced from their homes? Particularly, in this City where there already exists a severe shortage of housing, is it logical to displace residents in favor of more commercial space?



"We realize it would be impractical and unrealistic to expect the RC-1 zoning to be revised to limit retail and business office space to ground story use only, however, we do ask that you take into account the residents on 24th Street and the relative preservation of a small, neighborhood shopping community in permitting conditional uses above the ground floor. Friends of Noe Valley is not against commercial development of 24th Street, but we are against a tremendous increase in commercial and business space at the expense of residents being displaced and the possible loss of neighborhood service businesses which jointly create the unique character of 24th Street and our community, particularly, when there are already vacant ground floor storefronts.

"In order to preserve our community character and stability, we ask that you set forth clearcut guidelines for determining when conditional use permits would be granted and give strong credence to neighborhood opposition to such uses in public hearings. If the residents of the neighborhood organize and speak out on zoning issues, it is because they are concerned about their neighborhood and wish to exercise their options for input into the system."

Mel Ling Ho, a member of the public, said she was against downzoning as it would increase the price of the housing units. She said that increased cost would force people out of the City, and that would result in increased commutation.

Margarita Ortiz, representing Noe Valley Neighbors, made the following statement:

"My name is Margarita Ortiz. I represent Noe Valley Neighbors, a group of tenants and homeowners concerned with housing-related issues in Noe Valley. As most of you are aware, we have worked with other neighborhood groups and with members of the planning staff for over two years on the rezoning of 24th Street to protect its unique character.

"On November 29, we were pleased to see that 24th Street and other mixed-use locations in Noe Valley were designated as RC-1 districts and we appreciate the sensitivity to our concerns that you have shown by these designations.

"A closer look at the detailed chart of principal and conditional uses permitted in each of the new districts shows, however, that there are substantial differences between the zoning protections we have fought for so long to obtain, and the uses permitted under the proposed ordinance.

"We found that with only one use exception, no differentiation was made between allowable non-residential uses on the ground floor and below, and those allowable on upper floors, even though the stated description of the district makes a distinct differentiation, describing the RC zone as one of commercial spaces on lower floors and residences above.

"In addition, no distinction is made between permitted uses in RC-1 districts versus RC-2, RC-3 and RC-4 districts although there is a distinction (reflecting the gradually increasing intensity of uses) in every other category from allowable housing density, to required rear yard space to allowed retail uses.

"In assessing permitted uses in RC-1 districts, it is important to recognize not only that there is a substantial amount of housing in the RC district, itself, but also that the RC-1 areas are directly adjacent to areas of exclusively residential use -- in Noe Valley, primarily duplex (RH-2) areas. These residential districts would be seriously impacted by heavy non-residential development in adjacent RC-1 areas.

"The housing units on upper floors in the designated RC-1 areas are now primarily occupied by lower and middle income households, and are uniquely suited to that purpose. For the elderly, for the parent who is house-bound with small children, and for the lower-income individual who cannot afford private transportation it is essential that basic living needs and social services be very easily accessible. The RC-1 district is particularly suited to providing this accessibility.

"In order to protect this important supply of housing and to recognize the mixed-use nature of the district we propose that permitted conditional and principal uses on the upper floors be the same as those permitted in RM-1 districts (the residential district with equivalent housing densities). We propose one exception. Offices of philanthropic facilities, such as the Child Care Switchboard, the Coalition for the Medical Rights of Women, etc., which would not be allowed in RM-1 districts, should be permitted as conditional uses in RC-1 when they provide neighborhood-oriented social or cultural services.

"On the ground floor and below, uses should be allowed in the same manner as they are permitted in a C-1 district.

"We further propose that strict criteria for evaluation for conditional use applications be developed, including but not limited to,

1. Is the proposed use replacing an existing dwelling and if so what type of dwelling is being replaced? What is the housing vacancy rate?
2. Will the proposed use serve the immediate neighborhood?
3. Are there other similar uses already existing within the service area?
4. Environmental effects:
  - traffic generation
  - noise
  - hours of operation
  - odors, pollution, etc.

"Almost since the beginning of the rezoning study, we have heard many, many expressions of concern regarding the possible adverse effects of this proposed rezoning on the availability of low and moderate income housing units in San Francisco. The RC zone is one area in which we actually have the opportunity to preserve the quantity of such housing and protect a number of units which are uniquely suited to the needs of low and moderate income households.

"We strongly urge you to revise the list of permitted non-residential uses in the RC-1 zone to reflect the stated definition of the district and to provide the protections which we have fought so long to obtain."

Frederick Massimo said that Heritage endorses the thrust of the new ordinance and that it encourages exploration of the protective or preservative zoning related to particular structures. He urged that the Commission consider conservation districts which, he said, would warrant less stringent protection than historic districts.

Jenny Lew of the Chinatown Coalition for Better Housing, spoke as follows:

"My name is Jenny Lew, and I am speaking on behalf of the Chinatown Coalition for Better Housing. To begin I would like to clarify, for the record, any misunderstanding the Planning Commission may have with something that was said in last week's Proposed Zoning hearing. At the public hearing, last Tuesday, a Mr. Stanley Herzstein brought up a question on the Nob Hill Special Use District Article 2, Section 238. He had mentioned that the Nob Hill Neighbors had met only the night before the January 12th hearing with members of the Chinese community to discuss aspects of the proposed residential zoning. In the same paragraph he objected to the deletion of Subsection "c" in the new ordinance, which made additional review criteria for all applications to the Planning Department for the Special Use District.

"As a Coalition member that attended that meeting, I would like to say that we did meet with the Nob Hill Neighbors, but that we did not discuss any issue pertaining to the Special Use District ordinance. We do not want any statement by Mr. Herzstein to suggest that we support his position, and we hope future misleading statements can be avoided.

"The Coalition would now like to express, at this time, its feelings on Subsection "c" of the Nob Hill Special District ordinance. We believe that additional review criteria such as those that consider siting to maximize views of other properties, the existing 'character' of the neighborhood, preservation of existing open space, and off-street parking considerations are in themselves seemingly harmless. It is only when such additional review criteria is used to provide multiple obstacles to the construction of new low-or mixed-income housing that the provision's original intent seems to be abused. Badly



needed low-income family and elderly housing have been subjected to such abusive delays in the past by 'special review criteria'. These delays only succeed in encumbering massive cost increases often threatening, if not destroying, the entire economic feasibility of a project even before it gets through the review process.

"If such 'special review criteria' is included in any part of the Planning Code, we request that applications involving any subsidized low-income family or elderly housing be specifically exempt. The neighborhood, and the city as a whole must view the provision and accommodation of low-income housing developments as a benefit to the community that require the positive reinforcement and encouragement of public policy.

"The Coalition would like to commend the Planning Department in providing one such supportive measure. We applaud the inclusion of a double density bonus for senior housing developments, and the likewise accommodating lesser requirements for off-street parking. The city must begin to encourage more builders and property owners to provide more elderly housing. Provisions such as density bonuses and off-street parking variances act both as an incentive, and also as a positive step towards making such developments easier to build for non-profit sponsors with limited resources.

"The Coalition nonetheless strongly urges the City Planning Department to extend such bonuses and provisions to subsidized family low-income housing developments. Sections 209, 125, 132-5 and 151 should include density bonuses, floor area premiums, set-back and off-street parking variances to encourage and accommodate subsidized low-income family housing.

"The Coalition, also, realizes that variances mean very little unless the procedural redtape of the variance process and other City Planning processes are not improved. The Residential Zoning studies should deal with this cumbersome problem rather than ignore and overlook it.

"The complexity of the Planning Code is indeed awesome. The Coalition does not claim to have the expertise or know-how to untangle the mess, or design revisions reworded to pass all 'official' tests. The Coalition, nonetheless, welcomes the opportunity to discuss and work on the matter further with the appropriate city 'experts' to develop revisions and mitigation remedies. We look forward to meeting with members of the Planning staff and Commission to begin to provide for the needs of low-income households in this city. Thank you."

Jude Laspa said that he supported the proposed text amendments, including the rear yard averaging provision. He said he favored tighter controls of the RC districts. He further said that the enforcement procedures were overly protracted and suggested that the Commission should streamline the procedures.



Pious Lee, representing the Chinese-American Republic Club, said that he opposed downzoning. He said that in spite of the fact that Chinese-Americans have more than \$340 million invested in real estate in San Francisco, there had been an inadequate notice in terms of official advertising in Chinese newspapers.

R. L. Kowalski said that he was glad to see that the Commission recognized the value of non-conforming uses. He said that the traffic generated by non-conforming uses tend to make streets safer. He further said that he was opposed to the 3-year provision related to closure of a neighborhood serving non-conforming use.

Doug Engman, Member of the Board of Permit Appeal, spoke about San Francisco's declining population and the housing shortage. He said that the permit process should be looked at and the issue of vacant land should be addressed. He said that the City needed badly a comprehensive housing policy.

President Rosenblatt noted that the Commission was very much concerned about some of the issues raised by Mr. Engman.

William Holzman, representing SPUR, said that SPUR supported the Commission efforts at code revision. He said that SPUR's goal was to maintain the mixed population in the city. In particular, he said that the flight of the middle-income families had to be stopped. He further said that SPUR was in favor of the Commission adopting the staff's proposals and sending the recommendations to the Board of Supervisors.

Mr. Holzman said that he had a number of specific comments:

1. Too much reliance was placed on conditional use authorization. There was need to adopt more precise standards.
2. RC classification did not go far enough in determining what should be allowed in residential-commercial districts.
3. There was need for further controls beyond various state codes, to prevent competition between specific uses in commercial districts.

Commissioner Starbuck responded by saying that if the state law was not strong enough, the need for conditional use review was necessary.

4. Provisions for protection of rear yards were good and bad, depending on neighborhoods.
5. There was a need for a more streamlined Commission hearing process.

John Becham, representing the Pacific Heights Association, said that he was pleased with the interim controls of the Residential Zoning Study. He said he was delighted to see institutional zones disappear. He further said that conditional use in residential neighborhoods could have a most unfortunate effect. He strongly favored the Heritage conservation proposal.

Sam Schneider said that the net result of Residential Zoning Study and the proposed maps was downzoning. He said that everything was being downzoned. He said that in terms of variances, the proposed text amendments should include a provision that a variance finding must be issued within 60 days of the hearing.

Vincent Walsh said that there should be some consideration of limiting the size of garage. He said that in terms of ABAG policy for density in urban areas, the Residential Zoning Study was in conflict. The Commission, he said, should consider all neighborhoods in terms of the Residential Zoning Study.

Anna Darden of San Francisco Tomorrow made the following statement:

"San Francisco Tomorrow strongly supports the stated goals of the proposed zoning ordinance, particularly the preservation of existing housing stock and protection of existing neighborhood environments. We also support the apparent effort which has been made to ensure that new construction will be esthetically compatible with existing development.

"San Francisco's residential areas are already fully developed and occupied; and as stable, mature areas they are highly sensitive to disruptive development. San Francisco Tomorrow is an organization concerned with the quality of life represented by these residential neighborhoods. While we were generally pleased by the proposals of May 1976, we are both alarmed by and opposed to the increase in building density permitted and encouraged under the present proposal.

"Unfortunately the Planning Department seems to have chosen a zoning plan under which the highest prevailing density sets the classification of an area. This is particularly a problem in areas with a broad range of housing types. The proposed zoning would clearly encourage the replacement of existing low-density housing -- which often contain the only large family units -- by new higher density apartments. There is no justification for such a scheme.

"Despite our support of much of the zoning ordinance, San Francisco Tomorrow insists that the Planning Commission and the Planning Department follow through on their original commitment to preserve San Francisco's existing neighborhoods, while providing for rational development of new housing on vacant land in areas suitable for new residential development. In this context, we support the opening up of presently underutilized commercial and industrial areas for residential development.

"We believe in the need for additional housing units in San Francisco; we do not believe they should be created at the expense of the existing houses and San Francisco's neighborhood ambiance."

Alan Cadence, Associate Professor of Law, Golden Gate University, spoke about including a provision in the proposed zoning ordinance which would exempt non-conforming use structures from termination under certain conditions. Following is the text of his letter to the Commission and also of the suggested draft of the provision:

"I am writing to you with regard to San Francisco's Proposed Ordinance Text for New Residential Zoning. The proposed zoning ordinance allows in Section 204.4 for what is commonly referred to as 'artist loft' space in any C or M district. Artist loft space is the combination of artist work space and dwelling unit space within one area. It is designed to meet the unique needs of artists and eliminates the need of artists to rent or maintain separate residential and work spaces. The concept is an important one for artists and I would urge that the Commission enact this imaginative new concept. The enactment of Section 204.4 would legalize the large number of artist loft spaces that already exist in C and M districts.

"I would also urge that the Commission extend the concept of artist loft space to so called non-conforming use properties existing in R districts. Section 186 of the proposed zoning ordinance deals with the problem of the so-called mon and pop grocery stores by granting them an exemption from the non-conforming use termination provisions. However, there also exists a number of old warehouses and other non-conforming use structures in R districts which have been converted to artist loft spaces. I believe that the conversion of these non-conforming use structures to artist residential-work space is consistent with the spirit of the non-conforming use provisions because these buildings would in fact be converted to a residential use and at the same time they would meet the unique work space needs of artists.

"However, there is no provision in the proposed zoning ordinance which would exempt non-conforming use structures from the termination provisions of Section 185 where these structures are converted to or are currently being used by artists for both living and work space. Accordingly, I would urge that the Commission consider and adopt an additional provision which would exempt non-conforming use structures from the termination provisions where these structures have been converted to artist residential-work space.

"I have enclosed a suggested draft of such a new provision. An alternative, but more complex, approach would be to broaden the scope of Section 182 (e).

"SEC. 186A Exemption of Non-conforming Uses for Artist Residential-Work Spaces.

"The purpose of this Section is to provide for the further continuance in R districts of non-conforming uses of a limited character which are found to be compatible with the residential character of R districts.



"(a) The following non-conforming uses in R districts shall be exempt from the termination provisions of Section 185, provided such uses comply with all the conditions specified in subsection (b) below:

1. In any R district, the working space of artists, artisans, and other crafts persons which is integrated with a dwelling unit, when the occupancy of such dwelling units with accessory work space is confined to persons and their families using such working space as a means of livelihood.

"(b) The limited non-conforming uses described above shall meet the following conditions:

1. The occupancy shall meet all applicable provisions of the Building and Housing Code.
2. Such non-forming uses shall be limited to structures whose non-forming use would otherwise terminate under Section 185 of this Code.
3. No commercial activity shall be allowed in connection with such use.
4. The building shall be maintained in a sound attractive condition, consistent with the general appearance of the neighborhood.
5. Nuisance factors shall be adequately controlled and the use shall be otherwise consistent with the residential character of the neighborhood."

W. Frederline, said that downzoning would have the effect of making it economically infeasible to build on many lots. He said that the size of many lots mitigates against downzoning.

Alex Ku, owner of property in Richmond District, said he was opposed to downzoning and wondered why Chinese property owners were not given sufficient notice through advertising in Chinese newspapers.

Parvis Tyler, a resident of the Sunnyside district of San Francisco, had a number of questions about the percentage of his lot on which he could build. He said that he would refer these questions to the staff.

John Bardis of the Inner Sunset Action Committee, recommended a revision in the "principle uses" clause of Section 202(a)-1 of the proposed ordinance text for residential zoning, as under:

"In accord with established Inner Sunset Action Committee zoning policies approved by the membership and by specific action taken by the Board of Directors at the meeting held on January 9, 1978, the Inner Sunset Action Committee respectfully recommends that Section 202(a)-1 of the proposed text, describing 'principle uses', which presently reads as follows:



'Principle uses, permitted as of right in each established district where listed for that class of districts in this Article 2, as regulated herein and elsewhere in this Code.'

"BE REVISED AS FOLLOWS:

'Principle uses permitted as of right in each established district where listed for that class of districts in Article 2, as regulated herein and elsewhere in this Code shall be that lawful use of a structure or premises existing on the effective date of this Code. (For any vacant lot, the principle use shall be the average intensity of the uses existing on lots adjacent to any such vacant lot).'"

Robert David, President, Golden Gate Valley Neighborhood Association, expressed the Association's misgivings about the concept of RM districts. Following was his statement:

"Our Association was a party to the testimony made by the Coalition for San Francisco Neighborhoods at the hearing on January 12, 1978. As such, our general comments and endorsement of the adoption of a zoning ordinance which protects and enhances our neighborhoods were embodied in those comments made by the Coalition.

"However, we would like to take this opportunity to make an additional comment on our own behalf which may not have been specifically addressed by the Coalition.

"Specifically, we wish to say that we have some misgivings about the concept of 'RM' (Residential-Mix) districts. If the idea of an RM district is to recognize the existence and possible desirability of a 'mix', why then are the dwelling unit densities permitted by the code for new construction set at a level which would encourage the mix to 'homogenize'? It would seem more appropriate that the number of new units which could be built on any given parcel should be limited so as to not upset the average dwelling unit density of the entire RM district. This would encourage the one, two and three-family buildings in an RM district to be retained, and this the 'mix' itself would be preserved. This would be of benefit to both the residents of the high density buildings and the residents of the low density buildings in the district.

"We thank you for this opportunity to comment, and we look forward to the adoption of a zoning ordinance which will preserve the family character of our neighborhoods. We would also like to commend the Commission and the Planning Department staff for the extraordinary efforts given to this zoning study."

James Maalot said that residential fine grain zoning is impossible and that the result would be the stifling of change. He said that in terms of the proposed re-zoning, six planners give six different answers to a question.

Commissioner Bierman responded by saying that the intent of the Residential Zoning was to simplify zoning as much as possible.

Edward Dimartini said that Mr. Maalot's observations about complexity of the proposed code were true and that it needed simplification.

President Rosenblatt announced that the next round of hearing on the Residential Zoning Study would be a set of district meetings related to the proposed maps. He said that the first hearing was scheduled for Presidio Junior High School for February 7, 1978, at 7:30 p.m.

The meeting adjourned at 10:30 p.m.

Respectfully submitted

Lee Woods  
Secretary

— SAN FRANCISCO  
— CITY PLANNING COMMISSION

≡ Minutes of the Regular Meeting held on Thursday, January 26, 1978.

The City Planning Commission met pursuant to notice on Thursday, January 26, 1978, at 12:00 Noon, in Room 282, City Hall

PRESENT: Toby Rosenblatt, President; Ina F. Dearman, Vice President; Susan J. Bierman, George Carey, Virgil Elliott, Yoshio Nakashima, Charles Starbuck, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; Robert W. Passmore, Planner V (Zoning); Charles Gill, City Planning Coordinator; Alec Bash, City Planning Coordinator; Nat Taylor, Planner II; and Lee Woods, Secretary.

Marshall Kilduff represented the San Francisco Chronicle; Gerald Adams represented the San Francisco Examiner and Dan Borsuk represented the San Francisco Progress.

#### APPROVAL OF MINUTES

The Minutes of the Special Meeting of January 5, 1978, were approved unanimously.

It was also moved that the Summary of the Regular Meeting of January 19, 1978, be adopted as the Minutes of the Meeting, with a few minor changes. The motion was carried unanimously.

#### FIELD TRIP

Members of the Commission and staff departed from 100 Larkin Street at 12:00 Noon to take a field trip to visit sites of February Zoning cases.

#### CURRENT MATTERS

The Director reported that the Department had a new Civil Service Temporary Planner II, Mark Gainer, who had been assigned to the office of Environmental Review. Also, he said that the budget process was continuing. The Director said that the Dept. had an EDA grant and that the Department wanted the Commission's permission to spend no more than \$320.00 to enter into a work study arrangement with a student who would be assigned to the Commerce and Industry staff.

Commissioner Elliott moved, Commissioner Carey seconded and it was carried unanimously that the draft resolution approving the work study arrangement be adopted as City Planning Commission Resolution No. 7881.





With respect to the Presidio Master Plan and concerns of the Golden Gate National Recreation Area (GGNRA), the Director suggested that a possible joint meeting of City Planning Commission and GGNRA could be arranged for February 16, 1978. President Rosenblatt said that the City Planning Commission likes the idea of a joint meeting and hopes that the GGNRA could do it on the 16th. He said that it would be the best date for the City Planning Commission, and it hopes that the GGNRA can make an arrangement for that day.

The Director reported that, following a meeting with Bob Levy, Calvin Welch, Margie Kaiser (City Attorney), the Haight Ashbury Neighborhood Council's law suit, against the Upper Ashbury RAP EIR, had been dropped.

The Director made reference to a number of recent meetings. These included a meeting of staff of the Department of City Planning, San Francisco Redevelopment Agency and Chinatown residents. The subject of this meeting was the Chinatown Redevelopment Study Area. Also, he said that members of the staff, President Rosenblatt and a representative of the City Attorney's office had met with Supervisor Diane Feinstein to discuss possible zoning proposals for the upper Union Street, Fillmore Street and Divisadero Street Area. Generally, the Supervisor expressed a desire to review any proposals which did not come through the Residence Zoning Study process.

The Director reported that since the Commission's last meeting, the issue of the Simmons project had surfaced in a number of situations. A memo on the Simmons project, prepared by Charles Gill, Planning Coordinator, was summarized by the Director:

"Summary of Conditions of Resolution 7551 (CU authorization):

1. Final plans to conform to the site plan and landscape plan presented to City Planning Commission. Also, final plans to conform to the approved Design Standards and the site diagram showing size and location of the park.
2. Final plans to be developed in consultation with Department of City Planning and Art Commission, and to be approved prior to approval of building permit.
3. Provision of a park of a minimum 5.2 acres of the level of quality of Sidney Walton Park. Includes specific requirement of accessibility, views, wind mitigation and a bicycle path.
4. Parking garage to have maximum capacity of 850 spaces for the project and 150 spaces committed to an adjacent maritime development.



5. Garage construction not to begin until 15% of the commercial space and marina is begun, and until half of the commercial space is leased.
6. Various requirements which tie construction of the garage to relocation of the Embarcadero and tie occupancy of the garage and commercial space to construction of the Embarcadero and the breakwaters.
7. Requirement of park design coordination with maritime development to the west.
8. No aircraft facilities are allowed.

"Further requirements of the Design Standards include: public accessibility to the park, relocation of the Eagle and Crow's Nest into the Pier 39 development (if possible) and encouragement of short-term parking in the garage. There are also various design standards relating to: plant materials, wind abatement, views, pedestrian circulation, landscaping, garage design, the service building and transportation improvements.

"Factors relevant to review of North Point Pier project:

1. At a meeting in August 1977 of the BCDC Design Review Board with representatives of the City Planning and Art Commissions and the staffs of the Department, Port and BCDC, it was agreed that Department of City Planning would coordinate the reviews by the various agencies. Subsequently, the staff has kept contact with the Port and BCDC staffs and a member of the Art Commission.
2. The Director and staff reviewed and approved design schematics before reviewing any building site permits. A commitment was given by the developer to have final details reviewed and approved before final building permits would be sought. The 'fast tracking' of permits has caused some coordination difficulties but is not a major problem.
3. Charles Gill of the Major Projects Review Section is in charge of the DCP review. Site permit drawings for all Pier 39 buildings and the garage were reviewed against the approved schematics and for compliance to the City Planning Code before the permits were issued. Permits have not been approved for the park, bridge or maintenance building.
4. The staff, as well as the BCDC Design Review Board and Art Commission, approved of the 'navigation aid' tower, as long as it was approved by maritime authorities. The developer eliminated the tower in response to neighborhood concerns.





5. No permit has been issued for a structure which exceeds the 40-foot height limit as prescribed by the City Planning Code.
6. A series of weekly meetings at the architects' office for the purpose of aiding the various agencies' reviews has now been established. Charles Gill will attend.
7. The Telegraph Hill Dwellers are being notified of building permit actions as they proceed."

Charles Gill noted that the project had been the subject of discussion of both the Civic Design Committee of the Art Commission and the Bay Conservation Development Commission.

Commissioners Bierman and Starbuck said that they had received a number of calls from concerned neighborhood people.

Commissioner Starbuck said that it was crucially important to get Simmons together with neighborhood groups. If Simmons is unwilling to meet, he said that the Department of City Planning should take no steps to speed up the project.

The Director said that a question had been raised as to whether the Department should withdraw our agreement to follow a "fast-track" procedure.

Commissioner Bierman asked if anyone from the Department had met with the Telegraph Hill people. She said that a meeting ought to be arranged with Mr. Katz, that it was crucial and that the Director ought to attend.

Commissioner Starbuck asked about the Carousel building to be located on the Pier. He wondered if the ~~peaked~~ roof of this building will exceed 40 feet.

Commissioner Starbuck asked Charles Gill, assuming the base line to be the existing height of the curb at the Embarcadero, if he knew where the tip of the peaked roof would be in terms of height. Charles Gill estimated that it might be 58 feet. He referred to the Code and the way in which the 40 feet limit is defined in the context of a slanting roof.

Commissioner Bierman said that the view there at the Embarcadero is one of the most crucial in the City of San Francisco. She said, "It seems to me that 40 feet there ought to be 40 feet."

Commissioner Starbuck expressed concern that the project is leading to a law suit by private citizens and that the staff and the Commission could be embarrassed.

With respect to concern that the proposed maintenance building will obstruct the view line along Kearney, Charles Gill reported that the Developer is taking another look at the relocation of the building. He said that the Developer will propose a building away from this view line.



Commissioner Starbuck said that it was crucial that Mr. Simmons be aware, in the context of garage construction, of the Conditional Use's requirement for 15% completion of the breakwater Marina construction.

With respect to Commission meetings in the month of February and after much discussion, the Commission agreed to the following:

1. The Commission will meet on Friday, February 3, 1978, at 11:00 a.m. in Room 300, at 101 Grove Street. The subject of this meeting will be possible amendments to the Subdivision Code as it pertains to Condominium Conversions. The meeting is in response to Assistant Director Williams' request to come before the Commission with possible staff recommendations for amendments to the subject Code. A calendar will be prepared and mailed on Monday, January 30, 1978.
  2. The Commission will meet jointly with the San Francisco Redevelopment Agency Board on Thursday, February 9, 1978. If additional time is required, this meeting will be extended into the evening beyond 6:30 p.m. If time in addition to this is required, the Commission will again meet jointly with the SFRA Board on Friday, February 10, 1978.
- RS77.31 - PUBLIC HEARING ON TENTATIVE MAP FOR 8-UNIT CONDOMINIUM  
CONVERSION SUBDIVISION AT 2106 JACKSON STREET; LOT 2A IN  
ASSESSOR'S BLOCK 590.

Alec Bash, City Planning Coordinator, summarized the case report. He recommended that the proposed subdivision be found to be consistent with the Master Plan subject to the following conditions:

"That the units to be converted are determined to be not part of the low- or moderate-income housing stocks of the City;

"That the following additional conditions are complied with:

1. The sales program for the project shall promote affirmative action in housing, as required by Section 1342 of the Subdivision Code.
2. The present tenant or tenants of any unit to be converted shall be given a non-transferable right of first refusal to purchase the unit occupied, as required by Section 1385(d) of the Subdivision Code.
3. The subdivider shall comply with any applicable temporary, permanent, and low- and moderate-income relocation requirements of Section 1385(e), 1385(f), and 1385(g) of the Subdivision Code.





4. The subdivider shall install and provide for the maintenance of one street tree.
5. Tenants shall have a minimum of 180 days after filing of the Tentative Map and Application Packet with the City in which to relocate.

Mr. Howard Schuman, the applicant, said the efforts had been made to make the conversion process as painless as possible. He noted that the units to be converted were not a part of the City's low- or moderate-income housing stock, and he said that present tenants would have the right of first refusal with respect to purchase.

Commissioner Elliott asked if tenants would have any voice in setting maintenance costs. Mr. Schuman replied in the affirmative and said that, as in any condominium, all owners would have equal voice.

It was moved by Commissioner Nakashima, seconded by Commissioner Bierman, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7882.

RS77.30 - PUBLIC HEARING ON TENTATIVE MAP FOR 7-UNIT CONDOMINIUM  
CONVERSION SUBDIVISION AT 1900 BROADWAY STREET; LOT 7 IN  
ASSESSOR'S BLOCK 567.

Alec Bash, City Planning Coordinator, summarized the case report. He recommended that the proposed subdivision be found to be consistent with the Master Plan subject to the following conditions:

"That the units to be converted are hereby determined to be not part of the low- or moderate-income housing stock of the City;

"That the following additional conditions are complied with:

1. The sales program for the project shall promote affirmative action in housing, as required by Section 1342 of the Subdivision Code.
2. The present tenant or tenants of any unit to be converted shall be given a non-transferable right of first refusal to purchase the unit occupied, as required by Section 1385(d) of the Subdivision Code.
3. The subdivider shall comply with any applicable temporary, permanent, and low and moderate income relocation requirements of Section 1385(e), 1385(f), and 1385(g) of the Subdivision Code.



4. Tenants shall have a minimum of 180 days after recordation of the Final Map in which to relocate."

Mr. William Ziegler, a representative of the applicant, said that he had statements, from the tenants, saying that they will not oppose the conversions.

It was moved by Commissioner Nakashima, seconded by Commissioner Bierman and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7883.

#### CURRENT MATTERS - Continued

Rai Y. Okamoto, Director of Planning, made reference to a number of recent appeals before the Board of Permit Appeals. The appeals related to the Bernal Heights area and the Director noted that the Department was working with the Bernal Heights people. The Director said that areas like the Bernal Heights area should be handled through the EIR process.

It was agreed by the Commission that if there is proposed residential development on less than standard streets - Elsie Street being a typical example - then permits, in terms of staff recommendations, will come under the Commission's Discretionary Review function.

The Director reported that the Board of Permit Appeals will hear an appeal of a Commission decision related to a Doggie Diner at 16th and Valencia Streets. Commissioner Starbuck requested that if someone who participated in drafting the "fast foods" guidelines, was available, that person be present at the hearing.

The Director noted recent Board of Supervisors decisions related to Condominium Conversion Applications which had come before the Commission. Also, he noted that the Finance Committee of the Board of Supervisors had continued the Solar Retro-Fit proposal for technical revisions.

Commissioner Elliott stated that he had learned that there is probably a plan for a "Savings and Loan" office at the corner of Sacramento Street and Presidio Avenue. He asked that it be made a matter for the Commission's Discretionary Review. A motion of intention to take any future application under Discretionary Review was unanimously carried by the Commission.

It was agreed that the landlord or landlords of the property at the Northeast corner of Sacramento Street and Presidio Avenue, would be notified of this Commission action.

Commissioner Starbuck provided staff with an article which described Portland's Downtown Transit Zone.





RS77.34 - PUBLIC HEARING ON TENTATIVE MAP FOR 7-UNIT CONDOMINIUM  
CONVERSION SUBDIVISION AT 1869 CALIFORNIA STREET; LOT 14  
IN ASSESSOR'S BLOCK 648.

Alec Bash, City Planning Coordinator, summarized the case report. He recommended that the proposed subdivision be found to be consistent with the Master Plan subject to the following conditions:

"That the units to be converted are hereby determined to be not part of the low- or moderate-income housing stock of the City.

"That the following additional conditions are complied with:

1. The sales program for the project shall promote affirmative action in housing, as required by Section 1342 of the Subdivision Code.
2. The present tenant or tenants of any unit to be converted shall be given a non-transferable right of first refusal to purchase the unit occupied, as required by Section 1385(d) of the Subdivision Code.
3. The subdivider shall comply with any applicable temporary, permanent, and low- and moderate-income relocation requirements of Section 1385(e), 1385(f), and 1385(g) of the Subdivision Code.

Mr. Frank Lucas, the applicant, described the units and recent improvements that were made. He said that \$100,000 would be spent on renovation.

President Rosenblatt asked if anyone wished to speak in favor of or in opposition to the proposal. There was no response.

Commissioner Nakashima moved for approval of staff recommendations. Commissioner Bierman seconded and the matter passed unanimously as City Planning Resolution No. 7884.

CURRENT MATTERS - Continued

Commissioner Starbuck expressed concern about the absence of Urban Design input with respect to the Performing Arts Center Garage. Specifically, he was concerned about the possible absence of commercial spaces at ground level facing the street.

Commissioner Starbuck asked if the cable car extension was not a Master Plan Referral. He said that the Longshoremen's Union is negotiating with a hotel firm and that the hotel proposal should be cranked into the cable car extension analysis.



Commissioner Bierman said that they never had a proper hearing on the cable car matter, that the effects on business had never been looked at thoroughly.

President Rosenblatt said that Commissioner McCrea has asked for a total presentation with respect to a transportation plan for the Northern Waterfront.

R77.43 - LEASE OF PROPERTY AT NORTHWEST CORNER OF POLK AND MCALLISTER  
STREETS FOR SERVICE STATION OR OTHER USES.  
(CONTINUED FROM MEETING OF DECEMBER 22, 1977.)

Mr. Wallace Wortman, Director of the Department of Real Estate, commented that a parking facility on the site did not appear to be in conformity with the Master Plan. The restaurant proposal, he said, seems sound and viable. The concept of a restaurant seemed to be acceptable to the Finance Committee of the Board of Supervisors. Mr. Wortman said that a lease would be bid upon and that, after bids are received, the winning bid would come back to the Board for final approval.

The Director said that he would propose amending his memo, dated December 8, 1977, to the Commission on the lease of the property.

Commissioner Bierman asked if the Department would have any control over design features in the proposal. The Director said 'yes',

President Rosenblatt indicated that the proponents of the proposal were members of his family and he therefore wished to indicate that he had done nothing to promote the idea other than set up an appointment with the Director.

It was moved, and the motion passed unanimously to permit President Rosenblatt to abstain from any vote in this matter.

Commissioner Bierman stressed that the idea for the restaurant was the Department of City Planning's idea. "It was not a matter of the brother thinking about this ahead of time", she said.

Mr. Norman Rosenblatt, who proposed the development of a restaurant on the site, described his proposal and the conditions under which it would be made. He stressed that exterior design was very important and that he would be prepared to work closely with the Department.

It was moved by Commissioner Dearman, seconded by Commissioner Bierman and passed unanimously that the Memo dated December 8, 1977, and amended by the Director be adopted.





- R76.38 - CONSTRUCTION OF ELECTRICAL SUBSTATION AND POWER CONTROL CENTER AT BRYANT AND ALAMEDA STREETS; PORTION OF LOT 2 IN ASSESSOR'S BLOCK 3904 (EE76.449).  
(RECOMMENDATION: THAT THE MATTER BE FOUND TO BE IN CONFORMITY WITH THE MASTER PLAN.)
- R77.51 - RE-ESTABLISHMENT OF OFFICIAL SIDEWALK WIDTH OF 2.5 FEET ON JESSIE STREET SOUTH OF ECKER STREET, IN CONJUNCTION WITH CONSTRUCTION OF ADDITION AT GOLDEN GATE UNIVERSITY AT 536 MISSION STREET (EE76.26).  
(RECOMMENDATION: THAT THE MATTER BE FOUND TO BE IN CONFORMITY WITH THE MASTER PLAN.)
- R77.52 - REVOCABLE ENCROACHMENT PERMIT FOR RETAINING WALL ON OLD BURNETT AVENUE BETWEEN GRAYSTONE TERRACE AND BURNETT AVENUE FOR PROPOSED 9-UNIT BUILDING AT 270 BURNETT AVENUE (LARGER RETAINING WALL AND ACCESS ROADWAY DETERMINED TO BE IN CONFORMITY WITH MASTER PLAN BY CITY PLANNING COMMISSION ON JUNE 17, 1976, UNDER R76.9)  
(RECOMMENDATION: THAT THE MATTER BE FOUND TO BE IN CONFORMITY WITH THE MASTER PLAN.)
- R77.38 - VACATION OF STEVENSEN STREET, NORTHEASTERLY OF TENTH STREET, TO PERMIT COVERED MALL AREA FOR WESTERN MERCHANDISE MART.  
(RECOMMENDATION: THAT THE MATTER BE FOUND TO BE IN CONFORMITY WITH THE MASTER PLAN, SUBJECT TO CONDITION REGARDING ACCESS FROM TENTH STREET FOR MEMBERS OF THE GENERAL PUBLIC AND RETENTION OF AIR RIGHTS.)

President Rosenblatt indicated that it was his understanding that these referrals would be included in a consent calendar and treated as a whole unless the Commission had concern.

There was no indication of any concern from the Commission.

Commissioner Bierman moved approval of the Consent calendar. It was seconded by Commissioner Nakashima and passed unanimously.

- R77.22 - SALE OF PROPERTY ON BOSWORTH STREET AT O'SHAUGHNESSY BOULEVARD, LOTS 13, 14, 15, 35A AND 45 IN ASSESSOR'S BLOCK 6706.

The Director summarized a Memo, dated January 26, 1978, to the Commission. The Memo recommended that the Director be authorized to report that (1) the sale of Lots 13, 14 and 15 in Assessor's Block 6706, on Bosworth Street, was in conflict with the Master Plan, as the property should be incorporated into Glen Park Canyon, and (2) the sale of Lot 35A in Assessor's Block 6706 was in conformity



with the Master Plan, and (3) the sale of Lot 45 in Assessor's Block 6706 was not in conformity with the Master Plan, as the site provided desirable scenic quality to that portion of Bosworth Street, and residential development would be difficult due to the slope of the property and the necessity for driveway access onto Bosworth Street.

It was moved by Commissioner Elliott, seconded by Commissioner Nakashima and passed unanimously that the Director be authorized to report that:

1. Sale of Lots 13, 14, and 15 was in conflict with the Master Plan.
2. Sale of Lot 35A was in conformity with the Master Plan.

It was moved, further, and passed unanimously that the Sale of Lot 45 be continued indefinitely.

RS77.36 - PUBLIC HEARING ON TENTATIVE MAP FOR A 48-UNIT CONDOMINIUM  
CONVERSION SUBDIVISION AT 5320-30 DIAMOND HEIGHTS BOULEVARD,  
LOT 102 IN ASSESSOR'S BLOCK 7534.  
(APPLICANT HAS REQUESTED CONTINUATION TO MEETING OF FEBRUARY 9,  
1978.)

The Director noted that the applicant had requested that this matter be continued to February 9, 1978. It was also the staff recommendation, he said.

It was moved by Commissioner Bierman, seconded by Commissioner Elliott, and passed unanimously that the item be continued to February 9, 1978.

RS78.1 - PUBLIC HEARING ON TENTATIVE MAP FOR 24-UNIT CONDOMINIUM  
CONVERSION SUBDIVISION AT 3045 JACKSON STREET; LOT 27 IN  
ASSESSOR'S BLOCK 982.

A case report was available and it was summarized by Mr. Bash.

Referring to the one (1) unit, the rent of which placed it in the moderate-income range, Commissioner Bierman asked Mr. Bash what had been the basis of the determination that it was not part of moderate-income housing stock.

Mr. Bash replied that the rationale was that there was no apparent reason to explain why the unit had been priced so low in relation to others.

Mr. Bash said that it was the staff recommendation that the matter be found to be consistent with the Master Plan.

Mr. William Rossetti represented the applicant and was available to answer questions.

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President Rosenblatt asked if anyone wished to speak either in favor of or in opposition to the proposal. There was no response.

It was moved by Commissioner Nakashima, seconded by Commissioner Elliott, and passed unanimously to adopt the staff recommendation for consistency with the Master Plan as City Planning Commission Resolution No. 7885.

The meeting was adjourned at 5:15 p.m.

Respectfully submitted,

Lee Woods  
Secretary



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CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, February 2, 1978.

The City Planning Commission met pursuant to notice on Thursday, February 2, 1978, at 1:30 p.m. in Room 282, City Hall.

PRESENT: Toby Rosenblatt, President; Ina F. Dearman, Vice-President; Susan J. Bierman, George Carey, Virgil L. Elliott, Yoshio Nakashima, and Charles Starbuck, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); Robert Passmore, Planner V (Zoning); Wayne Rieke, Planner IV (Zoning); Charles Gill, City Planning Coordinator; Paul Rosetter, Planner II; Douglas Holmen, Planner II; and Lee Woods, Secretary.

Gerald Adams represented the San Francisco Examiner and Dan Borsuk represented the San Francisco Progress.

APPROVAL OF MINUTES

Minutes of the Meeting of January 4, 1978, were unanimously approved as submitted.

CURRENT MATTERS

The Director reported that City Planning's first hearing on the Departmental budget was scheduled for Tuesday, February 7th at 10:00 a.m. in the Mayor's Office. He said that a Departmental briefing session to prepare for this hearing was scheduled for Monday, February 6th at 10:00 a.m. He said that Commissioners were welcome to sit in if they wanted.

The Director asked the Commission how it intended for the Department of City Planning to proceed on the Rent Survey for the North of Market Street RAP Area, and whether the Commission would prefer that the Department of City Planning do the survey. He said that it was a question of acting in terms of the Commission's wishes.

Commissioner Bierman said that it was her understanding that the actual survey would be done by an outside consultant and that she favored the Department of City Planning assuming responsibility rather than the Bureau of Building Inspection. Commissioner Elliott believed





that the City Planning Commission could not decide who does the survey. He said that it was an unresolved issue and that he didn't want to be on record favoring the Commission's doing of it.

Commissioner Bierman moved that the Department of City Planning pursue the matter in terms of making efforts to assume responsibility for the survey. The Commission agreed, by motion, to permit Commissioners Elliott and Carey to abstain from voting in this matter, because of their affiliations with other departments and possible conflict situations. The motion that the Department of City Planning pursue the matter, by Commissioner Bierman, passed unanimously.

The Director reported that the Presidio Master Plan for 1978 would be finished in two months. He said that it was the point of view of Amy Meyers of GGNRA that a presentation be postponed to that time. He said that Doug Nadeau of GGNRA preferred individual briefing so that no precedent of public presentations was established and would want these briefings scheduled some time in the summer when the GGNRA's draft plan has been completed. The Commission agreed that it seemed appropriate to wait two months for a presentation on the Presidio Master Plan for 1978.

The Director noted that the Finance Committee of the Board of Supervisors had approved a resolution to allow the Department of City Planning to seek and receive a \$2,000.00 grant to pursue a solar retro-fit project for the Department of City Planning's offices. He noted that on Tuesday, February 7th at 4:30 p.m., there would be another meeting in the series of meetings related to the Simmons' Project. He said that the subject of that meeting would be the disposition of the Eagle Cafe. Commissioner Starbuck noted that the developer intended to put the cafe on the second floor of the project.

The Director said that a second meeting related to the Chinatown Redevelopment Project had taken place. He said that it was a very lively meeting. Also, he mentioned a meeting with Rudy Nothenberg of the Mayor's Office, which dealt with the need to co-ordinate the various agencies involved in economic development matters.

Commissioner Starbuck said that the matter of the entire Simmons' project was scheduled to come before the Planning, Housing and Development Committee of the Board of Supervisors at its meeting this month. President Rosenblatt noted that the Simmons' Project was on the Art Commission's calendar for Monday, February 6th, and that it would be calendared elsewhere in the near future.

President Rosenblatt said that he would be willing to chair a meeting of all the interested parties including other City Planning Commissioners. He said that we should try to go through all the



issues and get a coordinated schedule of where it's all going and that if we don't do it, the Planning, Housing and Development Committee or the Mayor's Office or someone will.

President Rosenblatt requested the Director or someone he might designate to set the meeting up, unless the Director finds that it cannot be done legally. He then requested the Director to inform everyone involved that the Planning Department was not going to process any more permits on that project until we get everyone together.

The Director reported that there would be a meeting related to the Hayes Valley RAP on Saturday, February 11th, at 10:30 a.m. He also said that the Department of City Planning had been asked by the Mayor's Office to assist in the preparation of additional anti-speculation legislation. He noted that any number of other public interested groups were developing their own proposed legislation.

The Director made reference to the Special Commission Meeting on Condominium Conversions, scheduled for February 3, 1978. Commissioner Bierman wondered if the public had had sufficient time to review the staff's proposed changes in the Subdivision Ordinance. President Rosenblatt said that he would not have time to review the document before the meeting.

President Rosenblatt said that the City Planning Commission had received a letter dated January 26th from the law firm of Dobbs & Nielsen, which pertained to the conditional use application of the Ralph K. Davies Medical Center. He said that the letter discussed procedural and process questions related to the conditional use.

President Rosenblatt said that he had asked the staff to look at the letter and to get the City Attorney's Office to look at it. He noted that there were present representatives of the Hospital, City Attorney's Office and neighborhood groups.

Diane Hermann, Deputy City Attorney, said that the City Attorney's Office had reviewed all the relevant documents, including the letter, and she said that it was the conclusion of the City Attorney's Office, that the City Planning Commission has no jurisdiction to consider further the matter of the conditional use. She said that the City Planning Commission had exhausted its jurisdiction.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), said that the hospital should have no problem in appealing to the Board of Supervisors and that the matter should be appealed there. He recommended denial of any further request for consideration in the matter. Commissioner Starbuck stressed that this request before the Commission was not necessary for an appeal to the Board.





There was a motion to deny the request for further consideration in the matter of the conditional use, which was unanimously carried.

President Rosenblatt asked the staff to prepare a letter for his signature, which would indicate to Dobbs & Nielsen the action taken by the City Planning Commission.

ZM78.2 - 243 ONONDAGA AVENUE, SOUTH SIDE, APPROXIMATELY 82  
EE77.353 FEET EAST OF OCEAN AVENUE; LOTS 30 AND 31 IN  
ASSESSOR'S BLOCK 6951.  
PROPOSAL TO RECLASSIFY THIS ENTIRE PARCEL TO A C-2  
DISTRICT IN ORDER TO CONSTRUCT A CONTRACTOR'S  
OFFICE WITH INCIDENTAL STORAGE AND PARKING IN A  
BUILDING WITH THE GROUND FLOOR EXTENDING TO THE  
REAR PROPERTY LINE. TWO OR THREE DWELLING UNITS  
WOULD BE BUILT ABOVE THE OFFICE ON LOT 30, BUT NO  
DEVELOPMENT IS YET PROPOSED FOR LOT 31. THE FRONT  
PART OF THIS PROPERTY (60 BY 106.667 FEET) IS IN  
A C-2 DISTRICT, THE REAR PART (90 BY 26.667 FEET)  
IS IN AN R-1 DISTRICT. THE ENTIRE LOT IS PROPOSED  
FOR AN RH-1 DISTRICT IN THE RESIDENTIAL ZONING  
STUDY.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), summarized the case report. He said that the proposal was to reclassify the rear portion of the subject property to a C-2 district so that the applicant could extend a new commercial building to the rear property line. He further said that the owner of Lot 30 was a sheet metal contractor who wanted to build an office and shop for his use on his property and that he would build dwelling units over his business to make the building more compatible with the neighborhood and to provide some income from the property. He said that the plans were still in preliminary stages and it had not been decided whether the owner would make his home in one of the dwelling units on the property or not. The owner of Lot 31, he said was a dry wall contractor who would like to build a similar building on his lot. However, he added, plans had not been drawn for this building. No time schedule for construction was indicated in the application.

Mr. Steele further said that all of the block except for a small parcel occupied by a drive-in restaurant was proposed to be reclassified to an RH-1 district in the Residential Zoning Study. If Application ZM78.2 was approved, he said, the change should also be reflected in the Residential Zoning Study proposals.

The applicant, he said, was John A. Marshall, owner of Lot 30 and operator of Marshall Sheet Metal at 242 Ocean Avenue, across the street from the subject property.



The applicant said that when he purchased the property, it was zoned C-2. Now, he said, he found that it might become RH-1. He concluded by asking the Commission to approve the application.

President Rosenblatt asked if anyone else wished to speak. There was no response.

Mr. Steele said that the Department had received three (3) letters from neighbors who opposed the proposal.

Mr. Steele said that the staff recommendation was for disapproval. He said that the recommendation was based on the fact that development of the subject property with contractor's offices would both intensify the use with greater disturbance to adjacent and nearby dwellings by putting all of the activities related to the business on this property and prolong the life of the use.

Further, he said that reclassification to a residential zoning district as proposed in the Residential Zoning Study would encourage residential development of this property more in keeping with existing development in the neighborhood by making the existing use of the property non-conforming with a requirement for eventual termination.

It was moved by Commissioner Starbuck and seconded by Commissioner Nakashima to disapprove the application. The Commission voted unanimously for disapproval and for adoption of the draft resolution as City Planning Commission Resolution No. 7886.

S78.1 - 44 CLARENDON AVENUE, NORTH SIDE, 375 FEET WEST OF  
EE77.267 BIGLER AVENUE; LOT 17 IN ASSESSOR'S BLOCK 2688; IN  
AN R-1-D DISTRICT; PROPOSED RH-1-D DISTRICT.  
PROPOSAL TO ABOLISH A 5-FOOT FRONT SETBACK IN ORDER  
TO ENLARGE THE EXISTING GARAGE TO THE FRONT PROPERTY  
LINE MAKING IT LARGE ENOUGH TO ACCOMMODATE TWO CARS  
IN TANDEM. VZ77.115 HAS ALSO BEEN FILED FOR THIS  
PROPERTY.

R. Spencer Steele summarized the case report. He said that the proposal was to abolish the five-foot legislated setback in order to permit a 7' 6" addition to the front of the existing garage to accommodate two cars in tandem, and that no change to the legislated setback had been proposed by the applicant for adjacent properties. The five-foot legislated setback, he said, extended approximately 375 feet east of the subject property to Bigler Avenue and approximately 250 feet west to Stanyan Street. That, he said, was the only legislated setback in the R-1-D neighborhood on the north slope of Twin Peaks.





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Mr. David Golden, the applicant and owner of the property said that his house was the only house on the block without a two car garage. He said that his second car, which he parks on the street, had sustained material damage.

President Rosenblatt asked if anyone else wished to speak on the proposal. There was no response.

Mr. Steele said that the staff recommendation was for disapproval.

It was moved by Commissioner Starbuck and seconded by Commissioner Bierman to disapprove the application. The motion passed by a vote of 5-1 and the draft resolution was adopted as City Planning Commission Resolution No. 7887. (Voting "Yes": Commissioners Bierman, Carey, Nakashima, Rosenblatt and Starbuck; voting "No": Commissioner Dearman.)

CU78.2 - 2250 JERROLD AVENUE, NORTH SIDE, 465.59 FEET WEST  
EE77.385 OF TOLAND AVENUE; LOT 7 IN ASSESSOR'S BLOCK 5230;  
IN AN M-2 DISTRICT.  
PROPOSAL TO CONDUCT AN AUTO WRECKING OPERATION TO  
BE RELOCATED FROM THE APPLICANT'S PRESENT LOCATION  
AT 1850-1851 NEWCOMB AVENUE.

R. Spencer Steele, Zoning Administrator, summarized the case report. He said that the proposal was to use the site as an auto wrecking and towing yard with sale of used auto parts on the premises.

Mr. Armstrong, he said, was currently operating at 1850-1851 Newcomb Avenue under a 1973 conditional use authorization. The 46,500 square foot site, he said, was being purchased along with other property in the vicinity, by the City, for expansion of the southeast sewage treatment plant. Central Relocations Services of the City, he added, was helping Mr. Armstrong to relocate his operation.

Mr. Steele further said that the target date for clearing Mr. Armstrong's present business location was July 1, 1978, and that if the target date was to be met, work would have to proceed on a tight schedule since permits for work to prepare the new site for the use could not be issued until the 30-day appeal period had run after approval of the conditional use, and since the work itself would take several weeks to accomplish.

The new site had an area of 40,197 square feet, Mr. Steele continued, as compared to Mr. Armstrong's present location with 46,500 square feet.



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Mr. Steele stated that Mr. Armstrong was one of twelve members of the San Francisco Tow Car Association which had a current contract with the City to remove illegally parked cars from the streets in order to improve the traffic flow. In this capacity, he said, Mr. Armstrong dispatches tow trucks from his yard and then stores some of the towed cars and also operates an independent auto dismantling business.

Mr. Steele said that the preliminary recommendation of the staff was for approval with conditions.

President Rosenblatt asked if the applicant wished to make a statement.

The applicant, Mr. James W. Armstrong, said that he did not wish to make a statement but that he was prepared to answer any questions which the Commission might have.

Mr. Steele summarized the conditions which were included in the draft resolution recommending approval.

It was moved by Commissioner Nakashima, seconded by Commissioner Starbuck and passed unanimously to adopt the staff recommendation for approval with conditions, as City Planning Commission Resolution No. 7888.

CU78.6 - 525 PHELPS STREET, NORTHEAST CORNER OF GALVEZ  
EE77.400 AVENUE; LOT 15 IN ASSESSOR'S BLOCK 5242; IN AN  
M-1 DISTRICT.  
PROPOSAL TO CONDUCT AN AUTO WRECKING OPERATION,  
RELOCATING A PART OF THE APPLICANT'S PRESENT  
OPERATION AT THE NORTHWEST CORNER OF QUINT STREET  
AND EVANS AVENUE.

A case report was available. It was summarized by R. Spencer Steele, Zoning Administrator. At the conclusion of his presentation, Mr. Steele said that the Bay View Hunters' Point Coordinating Council had requested that this matter be continued for two (2) weeks. Therefore, he said, the recommendation was that the matter be postponed to February 16, 1978.

Mr. Thomas Miller, representing the Wastewater Program which was to undertake a major construction project in the area, said that a two (2) week postponement could be agreed to.

Responding to a question from Commissioner Bierman, Mr. Passmore, said that there were no residential zones within 600 feet of the site.





It was moved by Commissioner Bierman, seconded by Commissioner Starbuck and passed unanimously to continue the matter to February 16, 1978.

#### CURRENT MATTERS - Continued

Commissioner Starbuck asked if the Commission wished to have a presentation of Hastings' proposed expansion plans. The Commission agreed to invite Hastings to do the presentation.

With respect to Embarcadero No. 4, Commissioner Starbuck said that if the Commission was agreeable, he would like the Director to address a letter to the President of the Redevelopment Agency, requesting a joint meeting with the City Planning Commission to review the Embarcadero Center No. 4.

Commissioner Starbuck said that in reviewing the Urban Design Plan, he had found excellent examples of what happens when you have a major parking facility with nothing on the ground level. With respect to the Performing Arts Center Garage, he said, we have a city project in which we are not following concepts to be found in the Urban Design Plan. He said that Mr. Passmore and the Director would seek ways of getting Urban Design input into this project.

President Rosenblatt said that the Garage was on the calendar of the Arts Commission for approval on Monday, February 6, 1978. President Rosenblatt agreed to communicate with the Arts Commission and to ask it to withhold its approval until its Design Committee could meet with City Planning staff.

Commissioner Starbuck observed that the Board of Supervisors' calendar for Monday, January 30th, had had two major items of importance to the Department. One item related to Condominium Conversions, and the other related to the Upper Market Street Roadway Plan. Commissioner Starbuck said that there were no Department of City Planning representatives at this meeting and that the Upper Market Roadway Plan was the most significant transit plan to go before the Board in recent times.

Commissioner Bierman said that it was her understanding that whenever something came up, the Department had someone in attendance.

Commissioner Starbuck asked the staff to provide the Commission with information related to the Simmons' Project. Specifically, he asked: 1) How many buildings under construction or proposed would exceed 40' with the patched roof; 2) The staff to provide the Commission with drawings of the proposed maintenance building, pedestrian bridge, garage and park; and 3) Whether the staff knew if the garage building permit had been signed.



Robert Passmore, Planner V (Zoning), said that the site permit had been issued but that staff was not aware that construction had begun.

Commissioner Starbuck said that his concern was that garage construction had begun, but that 15 percent of breakwater and Marina were not under construction. He said we are sending those permits out and it is in violation of the conditional use.

The Director said that there were some question about the intent of the resolution with respect to 15 percent of construction of the breakwater and Marina. He said it was his interpretation that 15 percent meant 15 percent completion.

Commissioner Starbuck said that he had sympathy for the residential builders and that it was important to enforce the rules equitably. He asked if the Department had any intention to hold the building permit for the garage. Mr. Passmore said that it was not clear if the site permit had been signed.

With respect to the Pedestrian Bridge, Commissioner Dearman wondered what could be expected in terms of design. President Rosenblatt said that the bridge was approved reluctantly to avert a traffic congestion problem along the Embarcadero.

Commissioner Starbuck proposed that the Commission ask the staff, to recommend to the developer not to proceed any further with construction on the garage, until the staff presents to the Commission documentation, which indicates that the conditional use requirements have been met. Commissioner Starbuck noted that this should not entail a delay for the developer.

The Director agreed to take responsibility for communicating this recommendation to the developer.

DR78.4(CU) - 819 SOUTH VAN NESS AVENUE, EAST SIDE, 95 FEET SOUTH OF 19TH STREET; LOT 25 IN ASSESSOR'S BLOCK 3594; IN AN R-4, PROPOSED RH-3 DISTRICT. PROPOSAL TO CONSTRUCT A FOUR-UNIT APARTMENT HOUSE IN AN RH-3 DISTRICT. RH-3 REGULATIONS LIMIT DEVELOPMENT TO THREE DWELLING UNITS UNLESS A CONDITIONAL USE AUTHORIZATION IS APPROVED FOR NOT MORE THAN ONE-UNIT FOR EACH 1,000 SQUARE FEET OF LOT AREA.

A case report was available. It was summarized by R. Spencer Steele, Zoning Administrator. Mr. Steele said that the recommendation was for approval with conditions.



President Rosenblatt asked if the applicant was present. There was no response.

Ms. Tia Born, property owner at 522 Shotwell Street, expressed concern and asked that an adequate rear fence be constructed. At the rear yard line, she said, that site is 3' higher than mine.

Mr. Steele said that the fence could be dealt with in terms of conditions of approval.

Responding to Commissioner Bierman, Ms. Born said that she was not opposed to the 4-unit proposal.

Responding to a question from Virginia McLeegan, a resident of the area, Mr. Steele said that the Department had considered the impact of new construction on the victorians in the surrounding area.

It was moved by Commissioner Bierman, seconded by Commissioner Nakashima and carried by a vote of 6-1, that the draft resolution be adopted as City Planning Commission Resolution No. 7889. (Voting Yes: Commissioners Bierman, Dearman, Carey, Elliott, Nakashima, Rosenblatt; voting No: Commissioner Starbuck.)

DR78.5(CU) - 2167 TURK STREET, SOUTH SIDE, 100 FEET EAST OF  
EE77.326 CENTRAL; LOT 30 IN ASSESSOR'S BLOCK 1150; IN AN  
R-3, PROPOSED RH-3 DISTRICT.  
PROPOSAL TO CONSTRUCT A FIVE-UNIT APARTMENT HOUSE.  
RH-3 REGULATIONS LIMIT DEVELOPMENT TO THREE DWELL-  
ING UNITS UNLESS A CONDITIONAL USE AUTHORIZATION  
IS APPROVED FOR NOT MORE THAN ONE-UNIT FOR EACH  
1,000 SQUARE FEET OF LOT AREA.

A case report was available. It was summarized by R. Spencer Steele, Zoning Administrator. The recommendation was for approval with conditions, he said.

Mrs. C. Meiswinkel, an owner of property adjacent to the site of the proposal, expressed concern about view blockage and the loss of light. Her building, she said, was designed to look over the old building.

Commissioner Bierman asked if the older building, proposed for demolition, was listed in the architectural survey. Mr. Steele said "no".

It was moved by Commissioner Starbuck, seconded by Commissioner Nakashima and passed unanimously to approve the staff recommendation for approval with conditions and to adopt the draft resolution as City Planning Commission Resolution No. 7890.





ZT78.1 - PUBLIC HEARING ON PROPOSED CHANGE IN TEXT OF THE  
EE77.407 CITY PLANNING CODE AMENDING SECTION 218 AND 219 TO  
REQUIRE CONDITIONAL USE AUTHORIZATION FOR QUICK  
STOP ESTABLISHMENTS, BRANCH BANKS AND SAVINGS AND  
LOAN FACILITIES.  
(CONTINUED FROM THE MEETING OF JANUARY 5, 1978.)

After preliminary remarks wherein he recounted the content of public testimony taken at the January 5th meeting, Mr. Passmore said that the staff recommendation was still for continued reliance on the guidelines coupled with the use of Discretionary Review.

President Rosenblatt asked if anyone wished to speak on the matter.

Mr. Paul Laylor of the West Portal Neighborhood Association, asked if a conditional use process applied to particular types of uses in C-1 and C-2 districts would include a provision for the enlargement of facilities. Mr. Passmore said that any significant enlargement would have to come before the Commission.

Mr. Bill Wilson of the District Council of Merchants, said that the Council supported amendment of Sections 218 and 219 and favored a conditional use process for Branch Banks and Savings and Loan institutions.

Mr. Michael O'Lear said that quick stop establishments were a complex issue and that quick stop operators should be allowed to participate in the drafting of guidelines regulating these kinds of uses.

Ruth Gravanis of the Glen Park Association, expressed support of the conditional use process for Branch Banks and Savings and Loan institutions.

Mr. Mervyn Silverberg of the Sacramento Street Merchants Association, said that decisive action was needed to protect the street from bars and quick stops and to preserve its character.

Commissioner Starbuck said that he favored the conditional use concept but only after guidelines in the sense of precise statutory language were developed.

Commissioner Elliott proposed endorsing Supervisor Feinstein's proposed amendments.



At the conclusion of the discussion, it was moved by Commissioner Starbuck, seconded by Commissioner Nakashima and passed unanimously to continue the matter to April 6, 1978 and to have the staff continue to meet with interested groups with a goal of getting specific statutory language as proposed additions to the City Planning Code, requiring Conditional Use Authorization for quick stops establishments Branch Banks, Savings and Loan Associations, Bars and Restaurants in C-1 and C-2 districts.

Commissioner Dearman moved, Commissioner Bierman seconded and it was unanimously carried that in the interim the staff would report to the Commission on permits pending in C-1 and C-2 districts, for particular types of uses. The Commission could then decide if Discretionary Review was appropriate.

ZT78.2 - PUBLIC HEARING ON PROPOSED CHANGE IN THE TEXT OF  
EE77.406 THE CITY PLANNING CODE AMENDING SECTION 302 AND  
OTHER APPROPRIATE SECTIONS TO MODIFY PROCEDURES FOR  
ZONING RECLASSIFICATIONS AND SETBACKS.  
(CONTINUED FROM THE MEETING OF JANUARY 5, 1978.)

Robert Passmore, Planner V (Zoning), reminded the Commission of what had taken place when the Commission had last considered this matter. The recommendation today, he said, is to continue the matter for approximately one (1) month. He said that the staff believed that the proposal was unworkable. The staff, he said, would hope to return to the Commission with an alternative.

Sam Schneider of the Residential Builders' Association, said that Supervisor Kopp's concern was to provide due process to property owners with respect to the exercise of property rights.

Ruth Grannis of the Glen Park Association, Bill Wilson of the Council of District Merchants, and Pat Gelana of the Sacramento Street Association, expressed concern about the need to restructure Section 302. With an instruction to the staff, that it respond to Supervisor Kopp by indicating that the Commission believed that his proposal was unworkable and needed a number of revisions and that the staff would undertake the necessary review. Commissioner Bierman moved that the matter be continued to March 2, 1978, it was seconded by Commissioner Nakashima and passed unanimously.

The meeting adjourned at 6:00 p.m.

Respectfully submitted,

Lee Woods  
Secretary





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Minutes of the Special Meeting held Friday, February 3, 1978.

The City Planning Commission met pursuant to notice on Friday, February 3, 1978, in Room 300, at 101 Grove Street, at 11:00 a.m.

PRESENT: Toby Rosenblatt, President; Ina F. Dearman, Vice-President; Susan J. Bierman, Virgil L. Elliott, Charles Starbuck, and John Wentz, members of the City Planning Commission.

ABSENT: Yoshio Nakashima, member of the City Planning Commission.

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; George A. Williams, Assistant Director-Plans and Programs; Nathaniel Taylor, Planner II; Alec Bash, City Planning Coordinator; Moira So, City Planning Coordinator; and Lee Woods, Secretary.

The press was represented by Dan Borsuk of the San Francisco Progress and Marshall Kilduff of the San Francisco Chronicle.

PUBLIC HEARING ON CONSIDERATION OF STAFF PROPOSALS FOR MASTER PLAN REVISIONS AND CHANGES IN THE SUBDIVISION CODE AS IT PERTAINS TO CONDOMINIUM CONVERSION SUBDIVISIONS.

Rai Y. Okamoto, Director of Planning, in his brief introductory remarks, referred to the growing concern expressed by the public on the subject of condominium conversion and also to the research and the analysis conducted by the staff of the Department in this connection. He then referred to his memo dated January 31, 1978 to the City Planning Commission in which recommendations, based on the findings of the staff, had been made for amendments to the Residence Element of the Master Plan and the Subdivision Ordinance. The basic policy recommended was to allow condo conversions under certain restrictive conditions in order to protect the interests of those adversely affected.

President Rosenblatt requested Nat Taylor, Planner II, to review the proposed recommendations as set forth in the memo.

Nat Taylor referred to the Table of Contents of the Memo, attached to which were an Addendum and Appendix C giving Case Studies. The basic policy, he said was as follows:

"As a general rule, so long as condominiums constitute only a small proportion of the total housing stock, condominium conversion subdivisions should be allowed as being within the public interest and as being consistent with the adopted policy of the Master Plan of promoting housing choice through new homeowner-ship opportunities; provided, however, that there are sufficient safeguards to protect the rights and needs of tenants affected by conversions; and provided further, that the conversions encourage and facilitate the purchase of such condominium housing by low, moderate and middle income households."

Mr. Taylor said that the above policy reflected general notions that condo conversion is basically good. He said, it was a middle of the road position, making a little more restrictive the conditions under which condominium conversion would be approved. He said that at present condominiums represent less than one percent of the total housing stock and as such there is no real problem, but that the situation would have to be watched carefully with the increase in the percentage of the condominiums. He said that there would then be need to monitor the rental/ownership housing stock until the number of condominiums reach 5% of the total housing stock, at which time the policy should be reviewed.

Mr. Taylor referred to the specific recommendations contained in the Memo:

A. Protection against Eviction

120 Days notice for all tenants; those requesting relocation assistance cannot be evicted unless replacement housing has been found and arbitrarily rejected.

B. Elderly Tenants

Tenants over age 62 eligible for extended leases equal to 6 months for every year of occupancy in the unit over one year; rent increase limitations to apply.

(The most likely people to be adversely affected by conversion are the elderly tenants. A study of the impact of condominium conversion in Washington D.C. proved that the most common type of household displaced by condominium conversion is the elderly household, with an income of \$8,500 (1975))

## C. Moving Expenses

Moving expenses to be reimbursed for all tenants by developers Maximum up to \$1,000 for a dislocation allowance of \$200, plus a fixed payment related to the number of rooms.

## D. Relocation Assistance

All tenants eligible to request assistance from Central Relocation Services (CRS) in finding relocation housing.

## E. Tenant Consent

Mandatory tenant consent of 35% in buildings of 50 units or more; "informational" survey of tenant support in buildings under 50 units; subdivider to conduct survey on forms issued by the Department of Public Works.

## F. Low and Moderate Income Housing -

- a. To set overall price limits on projects, in order that they bear a reasonable relationship to the value of the building as a rental project.

That is: cost of building  
+ cost of rehabilitation and conversion  
+ inflation if any  
+ 20% profit.

- b. Low and moderate income units to have prices limited to 2.5 times corresponding income threshold; units to be made available to qualified low or moderate income buyer exclusively for 12 months unless tenant exercises right of first refusal.

In order to facilitate this policy:

- c. Subdivider to assist in developing financing options for the low-and-moderate income buyer.
- d. City to assist in developing finance programs and to review potential buyers for eligibility and refer them to available units. The city will require a small staff for this purpose, details of which are yet to be worked out.

## G. Report of Licensed Engineer

Subdivider to Submit report on major structural elements in the building before Final Map is approved.

## H. Code Compliance

Building to be brought up to the Code before a Final Map is approved.

## I. Conversion of Less than Five Units

All requirements of building of five or more units apply with the exception of the requirement for Master Plan review.

## J. Procedural Clarification and Elimination of Unnecessary Processing for Subdivision in General.

Review of the present procedures to eliminate procedural obstacles to systematic and equitable enforcement of its objectives and regulation, and to eliminate expenditure of Public resources, including staff time, when no substantive benefits are derived therefrom.

Nat Taylor then outlined the recommended amendments to the Residence Element of the Master Plan:

## a. Policy 4-Expand opportunities for home ownership:

Wording to be changed to eliminate all text that refers to condominium conversions.

## b. Addition of a new Policy 5 as under:

"Allow condominium conversions subject to conditions that protect tenants' rights and promote ownership by low, moderate and middle income households."

The rate of conversion, Nat Taylor said, was to be monitored City-wide and by neighborhood and the policy to be revised should it appear that conversion was resulting in an undesirable concentration or reduction of supply of comparable rental housing.

In order to carry out the policy recommendations, Nat Taylor said that changes in the language as used in the existing code provisions were recommended.

President Rosenblatt informed the Public that because the document was not available until late during the week, public testimony would be taken but that no action could be taken until the Commission's regular meeting next Thursday, in Room 282, City Hall.



Commissioner Bierman said that what was bothering her was the HUD Guidelines defining low and moderate income households. They may apply no longer, she said.

Nat Taylor said that the Code requires that low and moderate income levels be defined and that HUD guidelines are used as a basis for the definition.

Commissioner Bierman asked if the Department of City Planning considered HUD guidelines adequate. Nat Taylor answered in the affirmative and said that the conversion prices should be regulated and controlled.

Alec Bash said that the staff could use the actual income of a household as well as rent in determining low and moderate income households, if the Commission so desired.

President Rosenblatt said that the Commission only makes recommendations to the Board of Supervisors for possible amendment. The Board then refers the matter to its Planning, Housing and Development Committee. The public will have additional opportunities to comment, he said.

Rai Y. Okamoto, Director of Planning, commented that Master Plan policies can be acted upon by the Commission without going to the Board of Supervisors.

President Rosenblatt invited comments from the audience.

Reverend Edward L. Peet, of the Commission on Aging, said that the policy offered nothing, no opportunity, no hope, no comfort for the elderly and that statistics from Washington D.C. were unrealistic and in any case didn't apply to San Francisco. He said that very few people had an income of \$8,500 and that many elderly exist on SSI income of \$314 a month. He further said that it was unrealistic to expect poor people to buy property and asked whether any developer would be willing to sell a unit for \$12,500 ( $\$5,000 \times 2.5 = 12,500$ ), which he said would more likely be the down payment. He also said that it was inaccurate that most people pay 25% on rent. They pay about 40 - 50%. He said that City Planning's recommendation should be the same as Palo Alto's - Zero Condominium Conversion.

Nat Taylor responding to Rev. Peet, said that Washington D.C. had conducted a comprehensive survey of condo conversion. We did not intend to imply that the circumstances of Washington D.C. parallel those of San Francisco, he said.



Don Hesse of the Human Rights Commission, said that his views were his personal ones and did not reflect the Human Rights Commission. He said that he supported the policy of the Department but he had some questions. He asked if the 5% limit on condo conversion included the large percentage of condos which were used for rentals, not for ownership. He suggested that the 5% condo conversion limit should be by district.

Mr. Hesse said that he favored the vacancy rate threshold with a provision that the developer could have it waived if prepared to meet certain conditions. He further suggested that a demographic questionnaire which would include information on income etc., be filed separately from the Tenants Survey form. Referring to the recommendation on the Period of Notice, with respect to protection against eviction, Don Hesse suggested that the period be lengthened.

Referring to the provision for a non-transferable lease for elderly people, he said that there would be objections if the period is excessive. Finally, Mr. Hesse said that instead of limiting a developer's profits, the Department should find an alternative to price control.

Commissioner Bierman asked if the staff had given any thought as to how long a buyer should retain ownership before selling.

Larry Furst, a realtor, said that there seemed to be too much of a rush without considering some of the ramifications. He remarked that to sell at 20% over current price was not realistic since other factors had to be considered. Time is money, he said, and every delay adds to the cost of housing. A vacancy factor also increases the cost since it cannot be borne by developers. He said that the Washington D.C. comparison was irrelevant. He questioned the fairness of tenant approval. He referred to the moving allowance of \$1,000 and said it was too much.

Commissioner Bierman said that in the context of these hearings, one thing that seriously concerned her was the "shelter" aspect of housing. Equal to the right to sell housing, is the right to shelter, she said.

President Rosenblatt asked if anyone else wanted to speak. No one responded.

It was moved by Commissioner Dearman, and seconded by Commissioner Elliott, that the matter be continued to the Commission's Regular Meeting on Thursday, February 9, 1978.

The meeting adjourned at 12:50 P.M.

Respectfully submitted,

Lee Woods  
Secretary

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CITY PLANNING COMMISSION  
SUMMARY AND MINUTES  
OF THE  
SPECIAL MEETING  
TUESDAY  
FEBRUARY 7, 1978  
PRESIDIO JUNIOR HIGH SCHOOL  
450 - 30TH AVENUE AT CLEMENT STREET  
7:30 P.M.

The City Planning Commission met pursuant to notice on Tuesday, February 7, 1978, 7:30 p.m. at Presidio Junior High School, 450 - 30th. Avenue .

PRESENT: Toby Rosenblatt, President; Ina F. Dearman, Vice-President; Susan J. Bierman, Virgil L. Elliott, Yoshio Nakashima, Charles Starbuck and John Wentz, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; R. Spencer Steele, Assistant Director-Implementation; Robert W. Passmore, Planner V (Zoning); Mark Winogrand, Planner III and Director of the Residential Zoning Study; Robert Feldman, Planner III; Gary Craft, Planner II; Carol Sugarman, Planner I, and Lee Woods, Secretary.

Gerald Adams represented the San Francisco Examiner and Dan Borsuk represented the San Francisco Progress.

**CONSIDERATION OF PORTION OF THE PROPOSED ZONING MAP COVERING THE NORTHWEST PART OF THE CITY**

President Rosenblatt said that the School District, from which permission had come to use the auditorium, required that the meeting be completed by 10:30 p.m. He, therefore, asked that speakers be as brief and as concise as possible.

President Rosenblatt asked those, concerned with specific sites, to fill out the "Request for Change in a Proposed Zoning" form. This, he said, would facilitate staff analysis in terms of final recommendations to be made to the Commission.

The first speaker was Mr. John Jacobs, Executive Director of SPUR. With respect to the rezoning study, Mr. Jacobs said that SPUR strongly endorsed a majority of the rezoning proposals developed by the staff.

John Becham, resident at 2321 Webster Street, spoke on behalf of the Pacific Heights Association. Mr. Becham said that his association complimented the staff for a job well done. In most respects, he said, we were in total agreement with the proposed maps.



William Clark, resident at 2580 Vallejo Street, represented the Cow Hollow Improvement Association. He said that, with respect to the proposed zoning map for his association's area of immediate concern, the association feels that it correctly reflected the area's basic character.

Robert David, resident at 2634 Franklin Street, represented the Golden Gate Valley Neighborhood Association. "Our Association", he said, "generally endorses the Study". "With respect to the area of our concern", he said, "we would request specifically that those areas, proposed RH-3, be zoned RH-2".

Steven Newstadt, resident at 1970 Vallejo Street, represented the Union Street Association. Mr. Newstadt said that his association favored the proposals of the Pacific Heights Association and the Golden Gate Valley Neighborhood Association.

Katherine Austin, resident at 2012 Baker Street, represented the Sacramento Street Merchant Association. Ms. Austin said that her association fully supported the residential association representing those areas adjacent to and served by Sacramento Street.

Noting the presence of Supervisor Gordon Lau, President Rosenblatt welcomed him to the meeting.

Larry Bacon, resident at 201 Laurel Street, represented the Presidio Heights Association of Neighbors. In addition to three (3) small sets of specific map requests, Mr. Bacon reaffirmed PHAN's belief that Sacramento Street between Spruce and Lyon Streets should be zoned not C-2 but RC-1.

John Scove, resident at 3951 Sacramento Street, represented the Sacramento Arguello Neighborhood Association. Mr. Scove said that his association supported an RC-1 designation for Sacramento Street between Spruce and Lyon Streets.

Bill Wilson represented the San Francisco District Council of Merchants, Mr. Wilson said that it was the Council's view that the Residential Zoning Study was not the appropriate forum for commercial policy formulation. The Council believed, he said, that there should be interim controls, during the Commerce and Industry study period, in commercial districts. It may be, he said, that refined C-1 and C-2 district control would prove to be more effective than new RC designations.

Mervyn Silverberg, represented the Sacramento Street Merchants Association. He said that his association favored the retention of C-2 on Sacramento Street between Lyon and Spruce. "We oppose the RC-1 classification", he said.





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Jim Clark represented the Pacific Heights Property Owners and Merchant Association. He said they opposed the RC-1 classification for Sacramento Street.

Pious Lee, representing the Chinese Property Owner's Association, said that his association opposed the downzoning and all its provisions. He recommended that all downzoned areas be returned to their original zoning.

Alex Ku, resident at 531 32nd Avenue, represented the Chinese Property Owners' Association. He described the new zoning as very restrictive and said that he opposed it.

Robert Passmore, Assistant Zoning Administrator, said that, without responding on a lot-by-lot or block-by-block basis, it was difficult to respond to many of Mr. Ku's comments on specific provisions of the proposed Code.

William Mills said that he opposed the entire thing because it meant less residential units.

Doug Engman represented the Stanyan Fulton Street Neighborhood Association. Mr. Engman said that downzoning in his neighborhood, would not go far enough in preserving the neighborhood and in protecting the property rights of those who live here in San Francisco.

Marilyn Shmulyen, resident at 1234 Haight Street, represented the Haight-Ashbury Neighborhood Council. The Council, she said, opposes the RM designation for parts of the Haight. Ms. Shmulyan asserted her belief that the RH, RM and RC system was overly complicated. She said that the proposed mapping, because it allowed for higher densities, should be returned to the Planning Department for considerable amending.

Mr. Magnus Wartrap, a resident at 1818 California, said that a downzoning of this block and neighborhood would have a disastrous effect. Mr. Wartrap expressed concern that large multiple unit buildings and large Victorians, if destroyed by fire or earthquake, could not be rebuilt in a proposed RH-2 district.

Mr. Passmore assured Mr. Wartrap that the Code provided for equal replacement in the event of a natural disaster.

David Cyril, a resident at 2210 Broderick Street, argued for lower densities in the Richmond district.

Sylvia Hughes, a resident at 2965 Clay Street, urged that the block of Clay Street, between Divisadero and Broderick Streets, be zoned RH-2 to conform to the surrounding area.



Mr. George Omi, a property owner in the 2500 block of California Street, said that the proposed RH-2 was a mistake. Neighborhood characteristics make the RC-1 more appropriate, he said.

Henrietta Mehta, a resident at 1890 Broadway, said that it was inappropriate to downzone residential areas and unzone the downtown and that a study should be done on the impact of a downzoning of San Francisco.

David Kroot, a resident at 433 Locust Street, said that it was imperative to place restrictions on the proliferation of bars, restaurants and **discotheques** in areas, of mixed residential and commercial uses. This had to be done to protect residential property owners, he said. In the same kind of areas, he said, that lot coverage restrictions were also necessary.

Gerald Molor, Associate Administrator of Children's Hospital, argued against the downzoning of Children's Hospital's property from R-4 to RH-2 and RM-2.

Richard Whitney, of the Clement Street Merchants Association, argued for retention of C-2 on Clement Street from Arguello Street to Park Presidio Avenue.

Arthur Wilson argued in favor of the proposed RM-2 designation for property he owned at 1967 to 1973 on Broadway.

Peter Butler, representing the owner of property at 1444 McAllister Street, opposed the proposed RH-3 and argued in favor of RC-1.

Ed Lawson represented the Richmond District Council. Mr. Lawson said that the Council opposed the proposed city-wide residential rezoning.

Lesley Tom, representing the Richmond District Council, said that rear yard requirement should be rethought and reduced.

Tom Landers, a resident at 2477 14th Avenue, said that he opposed the RH-2 being proposed for the north side of California Street between Broderick and Baker Streets.

Juan Springwell, a resident at 513 Scott Street, expressed concern about a non-conforming use grocery store and its impact on his property.

Terry Hurley argued against zoning for the simple sake of building. He said that the objective of zoning should be to make neighborhoods livable.

Sullivan Lee argued against the proposed RH-2 for 3232 Buchanan Street and downzoning. Dowzoning would drive rents up, he said.



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Al Bouche, argued against downzoning, "Put the issue on the ballot,"he said.

Peter Bagatell represented the King-American Ambulance Company at 2570 Bush Street. Mr. Bagatell, on the basis of consistency, argued against the proposed RH-2 and in favor of C-2.

Robert Bernier represented the Foundation for San Francisco's Architectural Heritage. Mr. Bernier said that, to the extent that the recommended zoning was consistent with existing uses and densities. Heritage supported the proposals.

At the conclusion of Mr. Bernier's remarks, President Rosenblatt said that there would be an additional hearing on March 7, 1978, at City Hall in Room 282. He further said the meeting was scheduled for 7:30 p.m. and would give those, who had not had a chance to speak, an opportunity to do so.

Commissioner Wentz moved that the matter be continued to March 7, 1978. It was seconded by Commissioner Elliott and passed unanimously.

The Meeting was adjourned at 10:45 p.m.

Respectfully submitted,

Lee Woods  
Secretary





SAN FRANCISCO  
CITY PLANNING COMMISSION  
SUMMARY AND MINUTES  
OF THE  
REGULAR MEETING  
THURSDAY  
FEBRUARY 9, 1978  
ROOM 282, CITY HALL  
1:00 P.M.

The City Planning Commission met pursuant to notice on Thursday, February 9, 1978, at 1:00 p.m. in Room 282, City Hall.

PRESENT: Toby Rosenblatt, President; Ina F. Dearman, Vice-President; Susan J. Bierman, George Carey, Virgil L. Elliott, Yoshio Nakashima, and Charles Starbuck, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; Mrs. G. Bland Platt, President, Landmarks Preservation Advisory Board; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); Robert W. Passmore, Planner V (Zoning); Alec Bash, City Planning Coordinator; Ed Michael, Planner III; Doug Holmen, Planner II; and Lee Woods, Secretary.

Gerald Adams represented the San Francisco Examiner, Dan Borsuk represented the San Francisco Progress, and Marshall Kilduff represented the San Francisco Chronicle.

CURRENT MATTERS

A court reporter was present and a transcript has been prepared. It is available in the files of the Department of City Planning.

RS77.36 - PUBLIC HEARING ON TENTATIVE MAP FOR A 48-UNIT CONDOMINIUM CONVERSION SUBDIVISION AT 5320 - 30 DIAMOND HEIGHTS BOULEVARD, LOT 102 IN ASSESSOR'S BLOCK 7534.

It was moved by Commissioner Bierman, seconded by Commissioner Starbuck and unanimously carried that this matter be continued to February 16, 1978.

A court reporter was present and a transcript has been prepared. It is available in the files of the Department of City Planning.



EE77.217 - PUBLIC HEARING ON APPEAL OF ENVIRONMENTAL IMPACT  
REPORT REQUIREMENT FOR HELIPORT ON PIER 46A.

Commissioner Dearman moved, Commissioner Bierman seconded and it was carried by a vote of 6-1 that the draft resolution disapproving the appeal be approved as City Planning Commission Resolution No. 7891. Voting "Yes" for the resolution were Commissioners Bierman, Carey, Dearman, Elliott, Nakashima, Starbuck; voting "No" was Commissioner Rosenblatt. The Resolution contained the following clauses:

"WHEREAS, On July 13, 1977, pursuant to the California Environmental Quality Act, the Guidelines of the Secretary for Resources and San Francisco requirements, the Department of City Planning received an Environmental Evaluation Form for the following project, in order that it might conduct an initial evaluation to determine whether an environmental impact report was required:

"EE77.217: Heliport on Pier 46A, Lot 46 in Assessor's Block 9900; and

"WHEREAS, On September 27, 1977, the Department determined that the proposed project may have a significant effect on the environment and that an environmental impact report was required; and

"WHEREAS, On October 14, 1977, the Department gave notice of such determination by publication in a newspaper of general circulation in the city, by posting in the Department offices, and by mail to the developer or project sponsor; and

"WHEREAS, An appeal of this determination that an environmental impact report was required was submitted in a letter dated October 28, 1977; and

"WHEREAS, On February 9, 1978, the Commission held a duly advertised public hearing on said appeal (the hearing was carried over from November 17, 1977 and January 12, 1978 at the request of the project sponsor); and

"WHEREAS, After reviewing the pertinent facts associated with the subject proposal the Commission believes the proposed project may have a substantial adverse impact on the environment;

"THEREFORE BE IT RESOLVED, That the City Planning Commission does hereby find that the proposed project may have a significant effect on the environment, and does hereby affirm the determination of the Department of City Planning."





A court reporter was present and a transcript has been prepared. It is available in the files of the Department of City Planning.

CA78.1 - PUBLIC HEARING ON REQUEST FOR CERTIFICATE OF APPROPRIATENESS TO RELOCATE AND REHABILITATE THE ABNER PHELPS HOUSE (SAN FRANCISCO LANDMARK NO. 32); ALSO CONSIDERATION OF RELOCATION SITE AS AN OFFICIALLY DESIGNATED.

It was moved by Commissioner Bierman, seconded by Commissioner Starbuck and passed unanimously that the draft resolution be approved as City Planning Commission Resolution No. 7892. The resolved clauses of this Resolution read as follows:

"THEREFORE BE IT RESOLVED, That the Commission approves the application for a Certificate of Appropriateness to permit the work described in Application CA78.1 and accompanying drawings labeled 'Phelps Place Historical Area - Oak Street near Divisadero, San Francisco' revised 8/16/77 and accompanied by building permit No. 7707592, subject to the following conditions:

- "a) Placement and configuration of front stairs shall be further discussed by the Landmarks Board and the applicant and resolved to the satisfaction of the Board;
- "b) Structural strengthening of the building from the level of the second floor sill upward, as shown in plans, shall be completed before the relocation from the existing site is begun;
- "c) Vertical boards which comprise the corner-trim shall be sufficient in width to permit butt edging of the siding against them;
- "d) The Landmarks Preservation Advisory Board shall be notified of the move at least one week in advance.
- "e) The engineer responsible for the design of the structural strengthening shall be on the site during the move, and

"BE IT FURTHER RESOLVED, That this Commission requests that the Landmarks Board monitor the relocation and rehabilitation of the Phelps House and upon completion advise this Commission of the appropriateness of:



"1) designating the new location of the Abner Phelps House as an official landmark site of the City and County of San Francisco and

"2) rescinding designation in accordance with Sec. 1004(d) of the City Planning Code, of that portion of lot 5 in Assessor's Block 1218, currently designated as a landmark site."

A court reporter was present and a transcription has been prepared. It is available in the files of the Department of City Planning.

PUBLIC HEARING ON CONSIDERATION OF STAFF PROPOSALS FOR MASTER PLAN REVISIONS AND CHANGES IN THE SUBDIVISION CODE AS IT PERTAINS TO CONDOMINIUM CONVERSION SUBDIVISIONS.

Commissioner Bierman moved, Commissioner Starkuck seconded and it was carried unanimously that the matter be continued to a special meeting of February 17, 1978.

A court reporter was present and a transcript has been prepared. It is available in the files of the Department of City Planning.

The meeting was adjourned at 2:55 p.m.

Respectfully submitted,

Lee Woods  
Secretary



SAN FRANCISCO  
CITY PLANNING COMMISSION  
SUMMARY AND MINUTES  
OF THE  
SPECIAL MEETING  
TUESDAY  
FEBRUARY 14, 1978  
GALILEO HIGH SCHOOL  
1055 BAY STREET AT VAN NESS AVENUE  
7:30 P.M.

The City Planning Commission met pursuant to notice on Tuesday, February 14, 1978, at 7:30 p.m., at Galileo High School, 1055 Bay Street at Van Ness Avenue.

PRESENT: Toby Rosenblatt, President; Susan J. Bierman, Ina F. Dearman, Virgil L. Elliott, Yoshio Nakashima, Charles Starbuck and John Wentz, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); Robert W. Passmore, Planner V (Zoning); Mark Winogrand, Planner III and Director of the Residential Zoning Study; Robert Feldman, Planner II; Carol Sugarman, Planner I; and Lee Woods, Secretary.

The Press was represented by Gerald Adams, San Francisco Examiner and Dan Borsuk, San Francisco Progress.

CONSIDERATION OF THE PORTIONS OF THE PROPOSED ZONING MAP COVERING  
THE NORTHEAST PART OF THE CITY.

After very brief remarks by President Rosenblatt and the staff, the Commission proceeded to take public testimony.

The first person to speak was Dr. Frank Hinman, President of the Russian Hill Improvement Association. He said that the Residential Zoning Study was a real achievement and its goal of protecting the neighborhood was an excellent goal. He recommended that Larkin Street between Lombard and Chestnut be mapped RH-2.

Mary Sutro, a resident at 2345 Hyde Street, commended the staff on the zoning study.

John Walsh said that one side of the 1300 block of Greenwich Street was being proposed for RH-3. He recommended that RH-2 be retained.

Marris Fraval, a resident of 1849 Chestnut Street said that he supported generally the staff recommendations related to Russian Hill.

Pius Lee made the following statement:

"This evening we come here again to give you the same message that we oppose the downzoning recommendation, especially in Richmond District and Chinatown North Beach area.





"In the last three hearings, organizations from Pacific Heights and Presidio Heights spoke up in favor of downzoning in their neighborhoods. Let me tell the residents in Pacific Heights and Presidio Heights, we support your decision to downzoning in your own neighborhoods because you know your problems and you live there. But you should also respect other neighborhoods' decision not to downzone because our problems in Chinatown North Beach and the problems in Pacific Heights and Presidio Heights are different. Let me tell you the big difference. The average lot sizes in Pacific Heights and Presidio Heights are approximately 40' X 137'. The lot sizes in Chinatown and North Beach are much smaller and irregular. There are over 70 small alleys in Chinatown and North Beach areas. Many lot sizes are only 20' X 60' or 25' X 55'.

"According to the proposed recommendations, the front set back requirements are up to 15 feet or 15% of lot depth and the rear yard requirement is 45% of lot depth. If you take away 15% and 45% of 20 X 60' you leave only 27 feet for buildings. How are we going to build it?

"That is why, the problems of Chinatown North Beach are entirely different with the problems in Pacific Heights and Presidio Heights. We do not have big lot sizes. We want the residents who live in \$300,000 homes to understand that we support their decision to down zonings in their own neighborhoods but we also want them to spend sometime to study our special problems in Chinatown North Beach before they speak in support of down zonings in Chinatown North Beach Areas.

"80% of the residential buildings in Chinatown North Beach Nob Hill and Russian Hill are approximately 70 years old. Many of these old buildings should be rebuilt.

"Because of the special problems in Chinatown and North Beach we strongly recommend Chinatown, North Beach Nob Hill and Russian Hill should be recommended RM-3 i.e. 25% for rear yard requirement and waive the front set back requirements.

"Mr. Chairman and Commissioners, please help up to REBUILD CHINATOWN and please do not make Chinatown to become a SLUM."

Mr. Howard Strassner recommended that the Commission consider some minium amount of residential development in commercial zoned areas. He said that for example the banks might be requested to reserve one fourth of the gross floor area for residential use. He said that residential construction in the downtown area would relieve some of the pressure on the outlying residential districts.

Mr. Winogrand responded by saying that since 1960 new residential construction had been permitted in commercial district by conditional use.

Alan Wong said that he would like to see his property at Francisco and Columbus changed to C-2 from the proposed RM-1.



Jim Jancks said that his property at 651 Francisco was presently RH-2 and was proposed RM-1. He said he would like to see it zoned RC-2 or C-2, so that a non-conforming store could remain.

Mr. David Vogel, representing Nob Hill Neighbors, said that the proposed revisions to the zoning map did not represent the character, quality and density of Nob Hill and said that he favored reduced heights for Nob Hill and that high rise construction should be limited to certain areas.

Randolph Delehanty recommended RM-2 for the slopes of Nob Hill and supported the recommendations of Nob Hill Neighbors.

Jeanne Jo L'Heureux said that she also favored reduced heights on Nob Hill and smaller buildings.

Dolores Dalton asked the Commission to save Nob Hill from high-rise developers. She said that increased density could only mean additional problems.

David Thomas said that he supported the height restriction proposed by Nob Hill Neighbors.

Gardener Johnson said that Lot 5 on Assessor's Block 120 on Green Street between Jones and Leavenworth Streets should be zoned RM-2.

John Tolan, representing Mr. Haig Mardikian, said that Mr. Mardikian's property on Powell Street, between Sacramento and Clay Streets, should be zoned RC-4 to make development economically feasible.

Bill Bulott said that the proposed code should make it possible for artists to live in lot studios in the South of Market Street.

Perry Shers, owner of a downtown lot on Leavenworth between O'Farrell and Geary, argued that the RC-4 proposed for his property amounted to a substantial "downzoning" from the existing R-5. In addition, a number of requirements, such as parking, are much more severe in the RC-4 district, making new construction infeasible. He urged placement of an RC-5 district on his property.

John Holmes said that a parcel located on Grant Avenue adjacent to Chestnut Street which was open space had been omitted from the December 1977 tabloid entitled Residential Zoning Revisions. He said that the area around Washington Square should be zoned RC-1 **rather than RC-2.**

Mr. Robert Katz, President of the Telegraph Hill Dwellers, said they endorsed work of the staff on the Study. He said that checks on density are essential and that speculation must be avoided. He said he would like to see a requirement in the new code which ensures that the text is readable by non-planners. He said that a little strip of land off Whiting was designated open space and he asked the staff to see that it **remained open space.** He said that he was looking forward to strict and equitable enforcement of the new code.





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Mr. Roger Boyer of the Telegraph Hill Dwellers said that rear yard requirement of the proposed text was adequate. He said that the answer to public housing was low-rise high density. He said that the proposed zoning for the Telegraph Hill was compatible with what existed. He further said that the proposed text was an amazing compromise and most equitable.

Fred Redding said he was strongly in favour of the recommendations of the Nob Hill Neighbors.

Aimee Choy, an owner of property in Block 65, Lots 25 and 26, said that the zoning was originally R-4 and proposed to be changed to RM-2. She requested the RC-2, as that, she said, would permit a store front plus 4 units. This, she said, would make the proposed construction economically feasible.

Gordon Chin of Chinatown Coalition for Better Housing read the following statement:

"The Coalition has been in existence for well over seven years. Throughout these seven years, the Coalition has consistently advocated for the preservation and improvement of existing low-cost housing and the development of affordable new housing for the lower income residents of the Chinatown community.

"The Coalition has been looking at the proposed Residential Zoning Study for zoning changes that will discourage rent increases, that preserve the existing supply of low and moderate cost standard housing units, as well as, encourage the construction or conversion of housing units that persons and families of lower income can afford, and especially zoning measures that will discourage speculation and prevent rampant high-rise developments that substantially alter a neighborhood's mixed residential character.

"Instead we find that the Study proposes measures that would eventually lead to a decrease in the City's existing supply of housing, especially affordable low and moderate cost units.

"In the Chinatown area, many of the buildings which provide low cost housing are old and overcrowded. Their masonry construction will be a serious hazard to the people in the event of earthquakes. The rehabilitation or replacement of the buildings, aside from being costly, will require housing units outside of this community as relocation resources for the displaced people.

"The proposed Zoning Study highlights the industrialized South of Market area as a possibility for new housing construction. But where will a network of goods and services geared towards a residential neighborhood's needs be developed? And will there be any substantial affordable low and moderate cost housing for families and singles: young and old? And who will guarantee that this construction will come about?



"Unquestionably, the rents will be affected.

"Senior housing bonuses are great, but with downzoning the advantages of this policy are negated. Which brings us to the point of procedural difficulties involved with obtaining variances; the Study has not addressed itself to alleviating this sore point in the administration of the City's Planning Code.

"In short, we are against a full scale downzoning of the City. The Study's impact on our neighborhood highlights our needs for decent housing, open space and recreational facilities, and better transportation solutions. But the Study leaves us with little recourse towards alleviating our area's problems. The flaws in the Study warrant further scrutiny and revision.

"An approval for this proposed Zoning Study will commit the City to regulations that may take another ten years to revise. The pre-Interim Zoning Controls with its flaws allows for a greater degree of neighborhood involvement in planning the growth and preservation of neighborhood characteristics."

Robert Danielson said that the area South of Market Street, west of the Yerba Buena area was proposed RH-3 and that RM-2 was more appropriate.

Edmond DeMartini said that Telegraph Hill, because of its proximity to downtown, requires a higher density than RH-3. He said that the RH-3 yard requirements would result in undue costs which would be added to rentals.

Pete Fitzgerald said that 215 Clay Street was in a sea of RM-4 and that it was spot zoning. He said it should be made one way or the other. He commended the staff for having done a beautiful job.

It was moved by Commissioner Bierman, seconded by Commissioner Elliott and passed unanimously to continue this matter to February 21, 1978.

The meeting adjourned at 10:25 p.m.

Respectfully submitted,

Lee Woods  
Secretary



SAN FRANCISCO  
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held on Thursday, February 16, 1978.

The City Planning Commission met pursuant to notice on Thursday, February 16, 1978, at 1:30 p.m., in Room 282, City Hall.

PRESENT: Toby Rosenblatt, President; Susan J. Bierman, George Carey, Virgil L. Elliott, Yoshio Nakashima, and Charles Starbuck, members of the City Planning Commission.

ABSENT: Ina F. Dearman, Vice-President and member of the City Planning Commission.

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; Robert Passmore, Planner V (Zoning); Alec Bash, City Planning Coordinator; Charles Gill, City Planning Coordinator; Selina Bendix, Environmental Review Officer; and Lee Woods, Secretary.

The press was represented by Gerald Adams of the San Francisco Examiner, Dan Borsuk of the San Francisco Progress and Marshall Kilduff of the San Francisco Chronicle.

## CURRENT MATTERS

The Director reported that Bell Savings was proposing a branch office at Sacramento Street and Presidio Avenue. He said that this was opposed by the Sacramento Street Merchants Association and that the Pacific Heights Association requests Discretionary Review.

With respect to the proposed Embarcadero Center No. 4, the Director agreed to verify what residual opportunities there might be for the City Planning Commission's action.

INFORMATION PRESENTATION ON THE STATUS OF THE NORTH POINT PIER PROJECT. (THE SIMMONS' PROJECT)

CONSIDERATION OF PUBLIC COMMENT ON CITY PLANNING COMMISSION RECOMMENDATION TO THE ART COMMISSION, RELATED TO THE PEDESTRIAN BRIDGE OF THE NORTH POINT PIER PROJECT. (SIMMONS' PROJECT)

REVIEW OF PROPOSED RELOCATION OF THE EAGLE CAFE OF THE NORTH POINT PIER PROJECT.

Various aspects of the North Point Pier Project, including the Garage, the Pedestrian Bridge, the Maintenance Structure, the Breakwater, building heights on the main pier, financing and the Permit Process and the Eagle Cafe were discussed. Those participating in the discussion included:





Mrs. G. Bland Platt, President of the Landmarks Preservation Advisory Board.

Mr. Albert Lanier, member of the Landmarks Preservation Advisory Board.

Mr. George Agnost, of the City Attorney's Office.

Mr. Steve Diaz, of the City Attorney's Office.

Mr. Ron Rutta, an attorney, representing Mr. D. Androtti, owner of the Eagle Cafe.

Mr. D. Androtti, owner of the Eagle Cafe.

Mr. Warren Simmons, the developer.

Mr. Sandy Walker, the Project Architect.

Mr. David Colton, representing Crocker Bank.

Ms. Ann Halsted, of the Telegraph Hill Dwellers, was critical of some aspects of the project.

Mr. Robert Katz, of the Telegraph Hill Dwellers, was critical of some aspects of the project.

Mr. Gary Zukov, a San Francisco resident, who favored the project

Mr. Grant Suttemeyer, a San Francisco resident who favored the project.

Mr. Paul Dennig, a San Francisco resident who favored the project

Mr. Chick Watt, a prospective tenant of the project.

Ms. Margaret Wathmy, a Telegraph Hill resident critical of some aspects of the project.

Mr. Hugh Douglas, a San Francisco resident who favored the project.

Mr. John McMann, a trade unionist who favored the project.

Ms. Letti Kovich, a prospective tenant of the project.

Mr. Ted Fraser, President of the San Francisco Coalition, expressed concern that Affirmation Action considerations prevail.

Mr. John Courtney, a San Francisco businessman who favored the project.



With respect to City Planning Commission jurisdiction and the Conditional Use which authorized the North Point Pier Project, Commissioner Starbuck asked if the Commission could modify its Conditional Use. The City Attorney, Mr. George Agnost, said that the Commission had acted and that it had no authority to initiate a modification of its Conditional Use.

Commissioner Starbuck asked the City Attorney if a Court would have problems declaring a Conditional Use invalid when the Commission didn't have sufficient information in specific detail.

The City Attorney said that the Commission, at the time, had the power to get the needed information, but apparently it failed. The clock can't be turned back, he said.

RS77.36 - PUBLIC HEARING ON TENTATIVE MAP FOR A 48-UNIT CONDOMINIUM CONVERSION SUBDIVISION AT 5320-30 DIAMOND HEIGHTS BOULEVARD.

(CONTINUED FROM THE MEETING OF FEBRUARY 9, 1978.)

Mr. George Woo, represented the Department of Public Works.

A case report was available and it was summarized by Alec Bash, City Planning Coordinator. The staff recommendation, he said, was for approval with conditions.

President Rosenblatt asked if any wished to speak in opposition to the proposal. There was no response.

Representing the applicant, Mike Nolte, said that the conversion was a moderate income ownership opportunity for the city.

With respect to a conditional provision for replacement rental units to be reserved for current tenants, Commissioner Starbuck asked Mr. Nolte what would happen if these units were converted. Mr. Nolte said that he did not expect this to happen.

Responding to Commissioner Bierman, Mr. Nolte said that there were no common recreational spaces. Mr. Nolte said that lending institutions were prepared to offer 90 to 95 percent financing and that tenant sentiment seemed positive.

Commissioner Starbuck expressed concern that the rental stock in the redevelopment area was being deleted.

It was moved by Commissioner Nakashima and seconded by Commissioner Carey to adopt the staff recommendation for approval with conditions. The motion passed by a vote of 4-2, as City Planning Commission Resolution. No. 7893. (Voting yes: Commissioners Carey, Elliott, Nakashima, Rosenblatt; voting no: Commissioners Bierman, Starbuck.)





- DR77.83 - PROPOSAL TO EXPAND FOR OPERATION TO SECOND FLOOR  
(7712226) OF PIERCE STREET ANNEX AT 3138 FILLMORE  
STREET.

Robert Passmore, Planner V (Zoning), said that the City Attorney's Office had been asked for an opinion on the application of the Union Street Moratorium to this proposal. Because we are waiting for this opinion, he said, the recommendation is for an indefinite continuance.

Mr. Martin Davis, the applicant, said that he had been held up since November. He asked why the proposed remodelling should effect his ability to sell his product. The Moratorium should not apply to me, he said.

The staff recommendation for indefinite continuance was moved by Commissioner Bierman, seconded by Commissioner Starbuck and passed unanimously.

- EE77.100 - CONSIDERATION OF CERTIFICATION OF ENVIRONMENTAL  
IMPACT REPORT FOR THE COMMERCE AND INDUSTRY ELEMENT  
OF THE MASTER PLAN.  
(CONTINUED FROM THE MEETING OF JANUARY 19, 1978.)

Robert Passmore, Planner V (Zoning), said that the recommendation was for continuance to March 16, 1978.

It was moved by Commissioner Carey, seconded by Commissioner Bierman and passed unanimously to continue this matter to March 16, 1978.

- CU78.6 - 525 PHELPS STREET, NORTHWEST CORNER OF GALVEZ AVENUE;  
EE77.400 LOT 15 IN ASSESSOR'S BLOCK 5242; IN AN M-1 DISTRICT.  
PROPOSAL TO CONDUCT AN AUTO WRECKING OPERATION, RE-  
LOCATING A PART OF APPLICANT'S PRESENT OPERATION AT  
THE NORTHWEST CORNER OF QUINT STREET AND EVANS AVENUE.  
(CONTINUED FROM THE MEETING OF FEBRUARY 2, 1978.)

Robert Passmore, Planner V (Zoning), introduced a letter dated February 15, 1978, from the Bayview-Hunters Point Community Coordinating Council, wherein the Council expressed its opposition to the proposal. Also, Mr. Passmore reviewed the case report material which the Commission had previously seen.

With respect to the two sites proposed by the Bayview Council, Mr. Passmore said that a number of conditions made the sites unacceptable. Therefore, he said, we are prepared to recommend for approval with conditions, the application.

Responding to Commissioner Bierman, he said that the only housing in the project area was non-conforming use south of the project area.



Representing Wastewater Management, Tom Miller said that time and financing were awfully important. In the context of the need for an enclosed facility, Mr. Miller said that an enclosed facility could not be completed before that point at which it would become imperative for Wastewater to commence its activities.

Mr. William Lynch, representing ALL-Auto said that the site had been a wrecking facility for the past five years and that he could not understand the Council's opposition.

It was moved by Commissioner Elliott and seconded by Commissioner Nakashima to approve the staff recommendations. The motion passed by a vote of 4-2, as City Planning Commission Resolution No. 7894. (Voting yes: Commissioners Carey, Elliott, Nakashima, Rosenblatt; voting no: Commissioners Bierman, Starbuck.)

The meeting adjourned at 6:15 p.m.

Respectfully submitted,

Lee Woods  
Secretary



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## CITY PLANNING COMMISSION

Minutes of the Special Meeting held Tuesday, February 21, 1978.

The City Planning Commission met pursuant to notice on Tuesday, February 21, 1978, at 7:30 p.m. at Mission High School, 3750 - 18th Street at Dolores Street.

PRESENT: Toby Rosenblatt, President; Susan J. Bierman, Virgil L. Elliot, Yoshio Nakashima, John Wentz, members of the City Planning Commission.

ABSENT: Ina F. Dearman and Charles Starbuck, members of the City Planning Commission.

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); Robert Passmore, Planner V (Zoning); Mark Winogrand, Planner III and Director of the Residential Zoning Study; Robert Feldman, Planner III; Gary Craft, Planner II; Carol Sugarman, Planner I; and Mohini Mirchandani, Acting Secretary.

Gerald Adams represented the San Francisco Examiner; and Dan Borsuk represented the San Francisco Progress.

CONSIDERATION OF THE PORTIONS OF PROPOSED ZONING MAP COVERING SOUTHEAST PART OF THE CITY

President Rosenblatt opened the meeting by asking Mark Winogrand, Planner III, and Director of the Residential Zoning Study, to give a slide presentation. The presentation highlighted the proposed controls and their objectives; types of residential districts and uses permitted; and outlined the revisions in the proposed text and zoning map.

After the presentation, President Rosenblatt requested those interested in addressing the Commission to fill out a speaker's card and to keep their statements brief in order to allow as many people as possible to speak. He further told the audience that the testimony on the Draft Environmental Impact Report would be heard after taking the testimony on the proposed maps.

Cheryl Hatcher, representing Duboce Triangle Neighborhood Associates, read a letter to the City Planning Commission from Karen Apana, President of the Duboce Triangle Neighborhood Association. Following were the contents of the letter:

"On numerous occasions over the past two years, our neighborhood association has commented on zoning proposals as they have evolved. During this time, we have worked with your staff in attempting to develop a zoning map which we felt would meet both the City's long range goals as well as our own.



"Our neighborhood is one of several in the City which has just been through the FACE program, this has resulted in a major upgrading of all dwellings using both private and public funds. In addition, utilities were undergrounded and some streets "narrowed" to allow for a more pedestrian oriented neighborhood. Consequently, the neighborhood has stabilized physically and property values have risen. Access to employment, shopping and excellent public transportation have made this area a very desirable place to live.

"Since a tremendous amount of time, effort and money has been expended in preserving this area, we now desire zoning which will protect the integrity of Duboce Triangle. Your staff's Dec. 1977 proposal fails to do this. Overall it proposes a HIGHER, MORE PERMISSIVE zoning classification than is reflected by the current land uses. In fact, it is almost identical to the previous 1960 zoning pattern. Did we attend all previous meetings to no avail? If the new zoning merely reflects the 1960 zoning, was there any reason to any of this recent consideration of zoning? San Francisco and its neighborhoods deserve better than this from its City Departments.

"Duboce Triangle is predominantly an area of one and two unit structures. The majority of the neighborhood should be zoned RH-2, as indicated on our map board. The higher density areas along Noe, Sanchez and 14th Streets are better accommodated by the proposed RH-3 zoning classification. Previously in May 1976, we had mapped this area RM-1 for lack of an alternative RH-3 classification. Finally a few words must be said regarding the commercial zoning of C-2 on Market Street. We understand from the staff that although the straight commercial zoning aspect is not to be considered at this time, it is appropriate to discuss the change to Residential-Commercial or RC classifications. We request RC-1 zoning for all of the parcels leading off Market Street into residential areas as this reflects the current use of these areas and encourages this unique and desirable RC district. Directly on Market Street we request RC-3 as this allows the continuance of residential units there and allows for maximum commercial development comparable to C-2 excluding auto arrival. In light of the recent acceptance of the Board of Supervisors of the MACOMS plan for Upper Market Street, there will be various joint community and business meetings. It is hoped these will result in a proposal for zoning on Market Street.

"In conclusion, with our requested conformance zoning, we can protect and preserve a very vital neighborhood in our City. We feel it is your duty to give us this protection."

The Mission Planning Council was represented by its President Luisa E. Ezquerro, and Toby Levine, Ralph Payne and Jim Keefer. Luisa Ezquerro emphasized that it was important that 16th Street, lower 24th Street and the area along

Valencia Street have RC Designations. She also pointed out that a Residential Zoning Plan, to be meaningful, should be developed side by side with the Commercial and Industrial Study and with a social component of the Master Plan. Without these three being simultaneously developed, she said, residential planning will not give to the people of San Francisco what many seem to believe it would.

Toby Levine said that they were surprised to find that quite a few areas in the Mission district were zoned in the new classification of RM-2 (and some RM-3's also) which they thought was a higher classification than the actual use. She also said that they undertook a survey of the neighborhood area concerned and in the process found that about twelve blocks were given a density classification that was greater than the existing use. Some of them, pointed out by her, were:

- a. Julian Street - a little alley, very very narrow - was given a classification of RM-3, which was much too high for it.
- b. San Jose Avenue - with a lot of nice old Victorian buildings - was also given a greater classification.
- c. Guerrero Street - between Liberty and 21st Street - was given a classification of RM-2 which, looking at the density of these blocks, was also too high.

She requested the Planning Department to consider the changes they were recommending which were in keeping with the existing use.

Ms. Levine also referred to the underutilized industrial areas in the Mission District - e.g. Bryant at 20th - which she said, could be developed into very attractive family and senior housing units.

Ralph Payne of the Mission Planning Council talked about the nonconforming uses and said there was a lot of confusion and concern amongst people of the neighborhood about their future. He suggested that they should be given an Environmental Impact Report and that an adequate assessment be made of the number of jobs that would be affected and that if it was determined that they should be terminated, he suggested that they should receive relocation assistance from the Mayor's Office.

James Keefer, of the Mission Planning Council, referred to the problem of density and growth and recommended that when a proposed development to provide low and moderate income housing with greater density is suggested, that the greater density be allowed on a case by case basis through the conditional use procedure. He suggested that the Department should encourage developers to look for vacant and underutilized land in commercial areas for additional

residential units and also pointed out that good housing sites could be found in commercial parking lots now located in residential areas.

Richard Cottrell, owner of property at 151 Valencia Street, which consisted of a shop on the lower floor and a warehouse on top, requested the Commission to change the designation of the warehouse to CM from non-conforming use, as otherwise he would be forced to go out of business. He said he had been in that building for 30 years.

Joe Estrade, resident of Elgin Park, referred to the suggestion made by one of the speakers that some of the space on Bryant Street be utilized for residential use and said he was not in favor of it.

Graham Maloney, attorney, representing Miss Junck, said that Miss Junck owned a building about a block and a half away from the Mission High and that she had been living there since 1894. She ran the store and lived upstairs. The property, he said, was presently a non-conforming use and had been vacant for two years and could not be rented. He requested that the conditional use be permitted for the property.

Mark Winogrand of the Department said that a number of people were in the same situation and asked him if they could visit the Department of City Planning to discuss the matter.

Donald Gordon, owner of the property at 2425 Market Street, requested that his property, with a frontage on Market Street and 50 feet from Castro Street, be given a C-2 designation instead of the proposed RH-3 designation. He said that the intersection of Castro, Market and 17th Streets was one of the busiest in the City and that the property would blend beautifully with the Castro shops and commercial activity and was contiguous to the Castro-Market BART station which would soon be put in service. He presented a letter outlining his suggestions as well as his request for zoning map change, which read as follows:

"I am the owner of the property known as 2425 Market Street, also known as Lots 29 and 32 in Block #2647. This property lies approximately 50 feet from the corner of Castro Street.

"The purpose of this letter is to inform you of all the salient features relating to this parcel in the hope that you and your associates will reconsider the proposed RH-3 zoning to a C-2 recommendation.

"The two parcels comprise approximately 12,000 square feet of land with a frontage on Market Street of 179.9 feet. The easterly line of my property of 190 feet is contiguous to Castro Street lots that are zoned commercial presently and propose C-2 in the new zoning map.

"I am sure your department is aware of the fact that the intersection of Castro, Market and 17th Streets is one of the busiest in our city. The pedestrian traffic count, a major transfer point for transportation system substantiate the importance of this major confluence.



"The parcel itself is one of the largest single, solely owned in the neighborhood. It offers sizable area that would blend beautifully with the Castro shops and commercial activity. It is also contiguous to the Castro-Market Bart station which is presently inoperative but soon to be put in service. It is my understanding that the City plans to dramatize the importance of the terminus of the Market Street Bart system with sculptures, lawn and landscaping.

"I have been informed that your department used 'present use' as a guide in your recommendations. I feel this is misleading and erroneous in this case. All my plans and hopes for developing this choice piece of property have been deterred and postponed because of the many problems resulting from Bart's major and lengthy construction in front of my property. I don't choose to enumerate the financial and access problems we have experienced during the construction period. Suffice to say they were monumental. Additionally, the accessibility of the property to vehicular traffic has been greatly reduced because of Bart, therefore creating greater problems for residential development but making commercial use and development more logical.

"It is my strong hope and expectation that the property be zoned C-2 for future use. In accomplishing this commercial designation, it would readily meld with the Castro Street commercial properties, as well as blend beautifully as the westerly terminus of the Bart system on Market Street. This parcel has excellent potential for the owner and the neighborhood. Any use short of C-2 would be inequitable to the owner and restrictive to the best use of the Castro-Market-17th Street intersection.

"I trust that you and your staff will seriously consider this request. I am aware that you have some 175,000 parcels in the city that are affected by this new zoning plan and it is impossible to be completely informed on each and every property as well as the many changes taking place in all areas. I am available any time to discuss this matter in greater depth and await your early response to this presentation."

Glen Park Association was represented by Lucretia Levinger, Dawn Murayama and Laura Goderez, Michael Hitchcock, Ruth Gravanis.

Lucretia Levinger was in favor of RH-1 zoning for Glen Park as proposed by the Department of City Planning, with the exception of one area, at Brompton/Kern, where increased density was proposed by giving it an RC-1 classification, which she said was inappropriate as the street was narrow and one-way and could not handle an RC use. She, therefore, suggested that this area be designated as RH-1.

Dawn Murayama said she was against C-2 zoning for 'downtown' Glen Park, because it would cause higher density and that was not in keeping with

village-like atmosphere of Glen Park. She urged that the zoning be retained to RC-1 as it is now as the area could not accommodate any increase in traffic or parking.

Laura Goderez requested a more realistic residential zoning and less commercial zoning for Glen Park.

Michael Hitchcock suggested that the Zoning Administration should have adequate enforcement staff to be able to keep up with zoning violations.

Ruth Gravanis, Chairperson of Zoning and Planning Committee of Glen Park Association, said that in the Glen Park area, there were many violations of the Planning Code which have gone uncorrected and suggested that the owners be required to correct Planning Code violations in their existing buildings before they are issued permits for new construction and that automatic fines be imposed for certain violations. She also suggested protection of tenants who may have to move as a result of violation abatement; notification of the Contractors' Licensing Board, the Architects' Licensing Board, and the State Franchise Board whenever a violation occurred; closer ties with the Bureau of Building Inspection; establishing of guidelines for use by the Planning Department staff in reviewing plans to help prevent future illegal conversions. She recommended a time limit on the Department's response to complaints of violations. She also suggested that neighborhood organizations registered with the Department of City Planning should receive notice of all applications for building permits, variances, conditional uses and zoning reclassifications, as the residents of Glen Park want to be involved in decisions that affect them.

A position paper on the Proposed Residential Zoning Revisions, signed by Stephen Le Plante, President of Glen Park Association and Ruth Gravanis was handed over to the Commission.

Following is the text of that paper:

"The Glen Park Association is pleased with the overall intent of the proposed Residential Zoning Revisions. Since Glen Park has very few vacant lots, the preservation and rehabilitation of the existing housing stock is of utmost importance. Fearing that some demolition is inevitable; we are glad to see that one purpose of the Proposed Revisions is to encourage development that will relate well to the character and scale of existing neighborhoods and structures."

"While we agree with the goals of the Revisions, it is unclear how the goals will be realized, and some specific items are not in the best interests of the Glen Park neighborhood. These items will be discussed as follows:

- I. Text Revisions
  1. Compliance
  2. Notification
  3. RM Districts



## II. Zoning Maps

1. RC-1 to RH-1
2. C-2 to RC-1

## "I. Text

1. Enforcement, Compliance

"The most important part of the Planning Code is enforcement. No matter how well-written the Code, nor how carefully drawn the maps, they are worthless without an efficient enforcement procedure. Yet, the Zoning Administrator's Office is currently more than a year behind in dealing with Planning Code violations. As a result, many violations go uncorrected, and the Planning Code is not taken seriously. To cite an example:

"It took more than a year of neighborhood effort--meetings, letter-writing, phone calls, visits to the Department of City Planning and Bureau of Building Inspection, gathering of documentation, appearances before the Planning Commission and the Board of Permit Appeals, and visits to the Mayor's Office--before a cease and desist order was finally served to a blatant zoning violator in our neighborhood. The Cease and Desist Order has been ignored. The same violator will soon be starting a new building in the same area, and the plans suggest the same illegal conversion procedure used in her four existing buildings. Some day, the violations may come to the attention of the City Attorney. Then what? Even if the violations are eventually corrected, what compensation is there for the neighbors who had to put up with the blight of an increased density of strangers, inconsistency with the desired family character, traffic congestion, and lack of available parking spaces caused by the illegal uses during their lengthy existence?

"The number of residentially zoned lots in our neighborhood looks good on paper, but in fact it includes a commercial parking lot and a semi-industrial accountical ceiling company which neighbors have long complained about to no avail. What is to prevent more of these non-residential uses in our alleged RH-1 areas?

"The Glen Park Association is well-aware that merely changing the Planning Code cannot totally solve the enforcement problem. But the Code is weak in this area, and the proposed Revisions do nothing to improve it. The only change offered is the addition of a civil penalty to the existing criminal penalty, and this is not a promising change, since the stiffness of the penalties is not a relevant issue. The GPA feels that the Code can be strengthened by amending it to:

- "1. Establish accountability for enforcement of the Code by making it the Zoning Administrator's duty to do so. (Section 176)
2. Require owners to correct Planning Code violations in their existing buildings before they can be issued permits for new construction. (Section 176c)
3. Authorize the Zoning Administrator to impose automatic fines for certain Planning Code violations, similar to the fines imposed by BBI for Building Code violations. (Sec. 176 (c)).

4. Protect those tenants who may have to move as a result of violation abatement.
5. Require notification of the Contractors' Licensing Board, the Architects Licensing Board, and The State Franchise Board whenever a violation occurs. (Sec. 176 (b)).
6. Establish guidelines for use by Planning Department Staff in reviewing plans to help prevent future illegal conversions. (Is it all right to have a dishwasher in the 'wet bar'?)
7. To place a time limit on the Department's response to complaints of violations. Section 307 (a).
8. Establish closer ties with the Bureau of Building Inspection so that the blame for a violation cannot be passed back and forth. (Sec. 176 (b) should include 'calling upon the Sup't of the BEI to require extra watchfulness of builders who have past records of willful Planning Code violations.)

"The Compliance part of the Code also deals with Non-conforming Uses. We have several neighborhood-serving NCU's in our neighborhood, and we support their exemption from termination, but we feel that the terms of exemption may be too rigid. It may be desirable to allow 'Mom 'n Pop' stores to stay open past 10:00 p.m. (Section 186 (b) 3). Also to say that 'no public sidewalk space shall be occupied in connection with the use' (Sec. 186 (b) 4) seems to imply that no litter receptacle would be permitted on the sidewalk. This should be changed.

"When an NCU is to be changed to a Conditional Use, specific authorization by the Planning Commission should still be required, and Section 182 (c) should be amended to say so.

## "2. Notification and Participation

"The portions of the Planning Code dealing with Conditional Use, Variances and reclassifications are in need of improvement, but the proposed Revisions ignore these topics. The residents of Glen Park want to be involved in decisions that affect them, and the first step in involvement is notification. Notices posted on utility poles are worthless, and the fine-print ads in newspapers are just a token gesture. Neighborhood organizations, duly organized and registered with the Department of City Planning, should receive notice of all applications for building permits, variances, conditional uses, and zoning reclassifications.

"Also the discretionary review process should be clarified and included in the Code itself, since it is now the closest thing we have to a much needed neighborhood design review provision. Therefore:

- "-Section 306.3 (a) 1. should be amended to add 'and to the duly registered neighborhood association within whose boundaries the affected property lies.'
- Article 3 should have a new section added to it to create a codified explanation of Discretionary Review.

### "3. RM Districts

"The Glen Park Association disagrees with the concept of a district 'intended to recognize, protect, conserve, and enhance areas characterized by a mixture of houses and apartment buildings.' Such areas tend to be unappealing, and such a zoning designation is an invitation to demolish the house-type structures to put up buildings of the maximum allowed density.

"Although the Glen Park neighborhood does not contain any RM areas, it would be affected by the traffic generated by any increased density in Diamond Heights or Sunnyside. If an area is appropriate for apartment buildings, it should be so zoned. The RM label is misleading, since such an area is bound to become all apartments in time.

"Therefore, Section 206.2 should be deleted; and, either an RA designation should be re-created and applied to areas where the neighbors want apartments, or the RH and RM nomenclature should be dropped in favor of a simple and non-misleading one-tiered nomenclature, R-1 through R-6.

### "II. Zoning Maps

"The Glen Park Association approves of the mapping proposed for the Glen Park neighborhood, with two glaring exceptions:

#### "1. RC-1 to RH-1

"The southwest corner of Assessor's Block #6744 at Brompton and Kern used to be zoned residential. The May 20 (76) maps show it as RH-1. The RH-1 zoning reflects the neighborhood desires acknowledged in the 1975 Neighborhood Issues Papers: 'Glen Park has been characterized as having an older village-like quality, and residents want to preserve their neighborhood for families.' But, the latest maps show this section as RC-1. It makes no sense. The rest of that block of Brompton is all RH-1. Brompton is narrow and one-way, and it cannot handle an RC use. Glen Park residents want single-family housing. They have not expressed a desire to extend the commercial area.

#### "2. C-2 to RC-1

"The shopping area of Glen Park, often called 'downtown' Glen Park, is presently zoned C-2. But, the actual existing structure and use, with two exceptions only, conforms to the definition of an RC-1 district. This area should be zoned to its existing use! It cannot accommodate any increase in traffic or parking! The C-2 label allows for a gross increase in density. It allows for a loss of housing, now the predominant second



floor use. It allows for commercial uses which would not serve the neighborhood at all. The Neighborhood Issues Papers acknowledge that 'the idea of combined residential and commercial uses is acceptable to the Glen Park community, especially in their small commercial area.'

"In conclusion, here is another quote from the 1975 Neighborhood Issues Papers:

'Preservation of the existing character of development in the older residential areas is stressed, with particular importance given to recognition of the narrow street pattern and hilly topography of these areas. Glen Park residents stress the need for protection from the future development pressures they believe will result from the presence of BART in their neighborhood, along with protection from parking and traffic circulation resulting from BART. Many residents have voiced a desire for greater opportunity for and recognition of citizen input in zoning and land development decisions.'

"It is clear that the Planning Department Staff has been aware of the desires of Glen Park residents since 1975. We would like to see these desires fulfilled."

Terry Covert, a resident of Glen Park, said that the new zoning proposals allow for quite a substantial development of the downtown business area of Glen Park and that not enough attention was paid to the aesthetic side or how it is all going to look. He recommended some sort of design review for Glen Park.

Dr. Antonio A. Ragadio of the San Francisco Dental Society, having a dental office at 1063 Geneva Avenue, requested that the zoning for Geneva Avenue be retained at C-2 instead of changing it to RC-1.

Antonio C. Ragadio, Jr., residing at 1100 Geneva Avenue, said Geneva Avenue was one of the busiest streets in San Francisco and not a proper area for residence (6-lane avenue) and to "downzone" it would hurt people living there.

John Carney, resident of 829 Rhode Island Street, said that in the Community Renewal Plan (CRP) that came out about 20 years ago, all high areas of Potrero Hill were proposed to be zoned for multiple residence but that in the proposed map now, just one little piece of property on top of the hill was given the classification of RM-1. He said that his area was beautiful for apartment houses and said it should be zoned RM-1.

Nelson Combs of the Glen Park Merchants and Improvement Association, said he had property in the downtown Glen Park area, which was zoned C-2 but that in case it is rezoned to RC-1 classification, it would disturb his usage as he had two commercial installations - one on the ground floor and the other on the second floor. He said that as much as 50% to 60% of the commercial district in his

neighborhood had been dissipated in the last 20 to 25 years and further "down-zoning" of the commercial district would be to put it on the borderline of being able to survive as a neighborhood and he requested the Commission to take that kind of historical perspective in making a determination, should the matter come up to them for further consideration and "downzoning" of the commercial district.

R. W. Hampton of Hampton Rug Service at 348 Church Street, said that his building had been declared a non-conforming use and requested conditional use authorization for his property when it would be time for termination.

Potrero Hill League of Active Neighbors was represented by Maria Vermiglio, Jim Firth, Chris Murray, Peter Firth and Guthrie Evans.

Maria Vermiglio of the Potrero Hill League of Active Neighbors read out from a prepared statement as follows:

"POTRERO HILL LEAGUE OF ACTIVE NEIGHBORS are delighted to see that the Planning Department has zoned the major portion of our community RH-2 in keeping with the character of the existing use.

"However, we are requesting downzoning to RH-2 for the proposed RM-1 and eight RH-3 districts which we believe to be overzoned and not in character with the predominantly one and two unit dwellings. (See attached Request for Zoning Map Change form for specific block numbers and map which delineates areas which we are requesting change to RH-2). We believe that the entire Potrero Hill residential district should be no denser than RH-2.

"We made a door to door walking survey and mapped our results in order to accurately determine the existing density. The areas which we are requesting downzoning have been surveyed twice in order to cross check and verify our results. Attached please find criteria employed for our survey 'Instructions for Residential Density Survey' and statistical analysis (dated December 1977) illustrating our results.

"We found that 74% of the lots in the residential and mixed use blocks contained one and two unit buildings and 70% of the housing units in the residential and mixed use blocks contained one and two unit buildings. Within the proposed RM-1 zone and 11 eight of the RH-3 zones on the Planning Department's map we found that the majority of the districts are overwhelmingly one and two unit family dwellings. We also noted that only a small number of buildings are three or more units and are generally (usually) located on corner lots. These few dense buildings do not warrant upzoning of the entire adjacent areas or the creation of separate RM and RH-3 districts accordingly.

"PLAN believes that the preservation of the quality of life in our community depends on maintaining RH-2 zoning classifications



throughout the residential district. RH-2 classification is most conducive to owner occupied dwellings with provision for one additional unit. Owner occupancy implies assurance of maintenance of neighborhood stability and discourages absentee landlordism and speculative investment ownership as well as removing any artificial development pressure on the existing single family housing.

"RH-2 zoning will also protect the neighborhood from the usual problems associated with increased density: increased traffic and parking congestion, noise and pollution. PLAN is supportive of community development provided all new development is in keeping with the existing neighborhood character. The Potrero Hill district is not developed to the maximum density allowed under the RH-2 zoning. RH-2 classification allows for development on all vacant lots as well as added units to the many existing single unit structures (1,296 according to our survey.)

"PLAN is particularly concerned about protecting Dogpatch (22nd - Tennessee - Minnesota area east of Hwy 280) which is a fragile residential neighborhood surrounded by industrial uses. We are pleased to see that the Planning Department has zoned the major portion of the area residential. However, we request that these residential zones be downzoned from RH-3 to RH-2. Many buildings in the Dogpatch area are in poor condition and in need of rehabilitation. RH-3 has potential for encouraging speculative investment which in turn encourages demolition and redevelopment instead of preservation and refurbishing of the housing stock. Here again, RH-2 will allow for development on vacant lots and additions to single family structures while protecting the predominantly two unit dwelling character of the area.

"In addition, we propose that the industrial areas which border and overlap Potrero Hill on the north, east and west be zoned for mixed industrial-residential uses with provision for protective performance criteria standards for all industries located within these zones in order to insure compatible mixed uses. We wish to encourage the presence of industries within our city for the economic and employment development benefits; however, we must also protect the quality of our living environment by legislating that industries located within these border zones comply with strict environmental and performance standards.

"POTRERO HILL LEAGUE OF ACTIVE NEIGHBORS urge you to consider our request for reclassification to RH-2 of the specified RM-1 and eight RH-3 zoning districts in order to maintain and preserve the character of our community for planned development. We trust you will consider our recommendation. Please feel free to contact us if further information is needed to facilitate your decision on this matter. Thank you."

Jim Firth said that the Potrero Hill neighborhood encourages families and said that zoning should be adapted to the character of the neighborhood. He said that the areas proposed RH-3 or RM-1 should remain RH-2, in order to have lower density, less congestion and to reduce speculation.

Chris Murray of Potrero Hill League of Active Neighbors, also spoke in favor of Potrero Hill district being designated RH-2.

Peter Firth of Potrero Hill League of Active Neighbors, requested change of zoning for the property at the south end of Rhode Island Street from RH-3 to RH-2, as maximum density already existed and he wanted to preserve single and two-unit housing.

Guthrie Evans of Potrero Hill League of Active Neighbors, wanted RH-2 zoning for his property on Potrero Hill (De Haro between 24th and 25th Streets) as against the proposed RH-3, to preserve the character of the neighborhood in its present form.

Henry Cabrera of the Mission Housing Development Corporation read the following prepared statement:

"I would like to begin by quoting from the Environmental Impact Review, Page 64, Chapter 6, published December 13, 1977 by the San Francisco City Planning Department: 'Although it is believed that it is not feasible for private market to build new housing for low and moderate income families regardless of what zoning policies are adopted, programs of the Housing Authority, Redevelopment Agency and private housing development corporations such as Mission Housing Development Corporation and Bay View Hunters Point will continue to develop and supply housing to low and moderate income families being displaced by the increased cost of new and newly rehabilitated housing'.

"We are in the process of developing a site for the elderly at 25th and So. Van Ness. Because of the interim zoning controls in effect as of May 1976, we are able only to build 22 units as a result of the RM-1 Interim Zoning. If the November 1977 Proposed Ordinance were to affect this site, we would lose an additional 9 units.

"We have examined the uses near a site zoned RM-2 half a block away. The current usage of the blocks facing our site is much closer to an RM-2 usage than that which the City has zoned RM-2. We are enclosing copies of assessor's maps showing these uses for your convenience. We request that the City Planning Staff be instructed to redraw the zoning maps to change our site to RM-2.

"We also own and operate a 39 unit elderly development and from the beginning the question of security has been of great concern to all our tenants. To this end, we have spent considerable time, effort

and money to make the building secure. To require an entrance every 35 feet would compound the problems of security.

"Our elderly building also has a large exterior deck as well as an indoor recreation area complete with cooking facilities. We have encouraged their use by the tenants and have organized activities for their benefit. Attendance at organized activities has been sparse and the use of these facilities without organized activities has been non-existent.

"We propose, therefore, that Section 209.1 (M) be amended to read as follows: 'Such dwellings shall be exempt from Section 135, 144 and 145 of this Code'. This will allow Mission Housing Development Corporation to develop housing for the elderly without the tremendous restrictions as to usable open and private space which our experience shows is rarely used by elderly tenants.

"We also own and operate a 50 unit low and moderate income federally subsidized development. We have provided 50 parking spaces and are currently only using 30 parking spaces. We would propose, therefore, that the off-street parking requirement for low and moderate income family developments be reduced 35%.

"This would enable housing corporations such as MHDC to develop low and moderate income family housing at reasonable costs. The one to one parking requirement creates expensive parking facilities which often are not used."

Anita Banash-Arlen of the Friends of Noe Valley, said that zoning had been increased from RH-1 to RH-2 and a number of residents were concerned as they wanted to preserve the character of single-family units.

Barbara Francisco, resident of 526 Duncan Street, spoke in favor of having RH-2 on 17th Street instead of RM-1. She said that increase in density should be slow and controlled.

Henry R. Peters, 324 Blue Oak Lane, Los Altos, requested change of zoning from RM-1 to RM-3 for his property at the northeast corner of Market and Douglas Street, the use of which he said would expire in 1980. He said the property was currently zoned R-4 and proposed zoning was RM-1 and said that density reductions in the ratio of 4 to 1 was unfair. The RM-1, he said, would permit less density than now exists.

Andy Ausari of the Mullen-Holladay Group (Bernal Heights), said that when the residents desire to take part in planning a neighborhood, they should have the right to participate in it and should be properly notified about any proposed changes.



Robert Dutra, also of the Mullen-Holladay Group, said that one of the problems is the access which is too steep in narrow streets and that on the new buildings going up in Bernal Heights, where there were no existing houses, there were no guidelines and he requested that something be done about that.

David O'Meara of the Noe Valley Neighbors for Action, said that they were involved in a process by which the Noe Valley area of 24th Street was given interim zoning, the nature of which was preservation of low income housing. He said that they supported RC-1 for 24th Street with the provision that text changes be enforced as proposed by Friends of Noe Valley in January, regarding the uses on the 2nd floor and above. They wanted to achieve RC-1 designation for the purpose of continuing to preserve low income housing for Noe Valley.

Eugene Balma of 99 Onondaga Street, said he had property at Mt. David/Cayuga which he had bought 6 years ago in order to build 4 units but didn't have money to build it at that time. Three years ago, he said, he had been told by the Commission that he could build three units only and as such his architect had made plans accordingly and they were ready in September, 1971, but now the property was proposed to be zoned as RH-1. He requested the Commission to consider retaining it as RH-3 or RH-2 and not to change it to RH-1.

Jude Laspa of the Eureka Valley Promotion Association, requested a number of zoning changes as outlined in his letter to the Planning Commission, which, was handed over and read as follows:

"The Eureka Valley Promotion Association requests that you make the following five map changes based on the following criteria:

- "a) Zone to predominant use, except for impacted areas.
- "b) For impacted areas, zone to a lower level (usually the predominant surrounding area zone) to prevent the expansion of the problems associated with overbuilding (traffic congestion and parking, loss of open space, transiency, fire hazard, etc.)

"Our proposed map changes are as follows:

- "a) North side of 17th St. from Castro to Diamond - change the zoning of this impacted area from RM-2 to RH-3.
- "b) Corwin St. and adjacent RM-1 properties - change the zoning of this impacted area from RM-1 to RH-2.
- "c) West side of Grandview Ave. at 21st St. - change the zoning of this impacted area from RM-1 to RH-2.

- "d) Top of Collingwood St., at 22nd St. - change the zoning from RM-1 and RM-2 to RH-2.
- "e) C-2 portions of Upper Market St., Castro St., Church St., and other side streets. Change to RC-2 or 3 on the main streets and RC-1 on the other side streets. Present use is 75% residential in these areas.

"These positions, in a number of cases, represent compromises from our previous requests. By and large your May 20, 1978 zoning map included our proposed changes except for the RC districts. Our position in support of these changes was reaffirmed by our general membership at our January and February general meetings."

No one spoke on the Draft Environmental Impact Report.

President Rosenblatt reminded the audience that the next public hearing on the Proposed Residential Zoning Maps would be held on February 28, 1978, at Herbert Hoover Junior High School in the Sunset District.

The meeting adjourned at 10:15 p.m.

Respectfully submitted,

Mohini Mirchandani  
Acting Secretary



FEB 23 1978

CITY PLANNING  
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CITY PLANNING COMMISSION

Minutes of the Regular Meeting held on Thursday, February 23, 1978

The City Planning Commission met pursuant to notice on Thursday, February 23, 1978, at 12:00 noon, in Room 282, City Hall.

PRESENT: Toby Rosenblatt, President; Susan J. Bierman, Ina F. Dearman, George Carey, Virgil L. Elliott, Yoshio Nakashima, and Charles Starbuck, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); Robert W. Passmore, Planner V (Zoning); Alec Bash, City Planning Coordinator; Nathaniel Taylor, Planner II; Douglas Holmen, Planner II; Selina Bendix, Environmental Review Officer; and Lee Woods, Secretary.

The press was represented by Gerald Adams, San Francisco Examiner, Dan Borsuk, San Francisco Progress and Marshall Kilduff, San Francisco Chronicle.

## CURRENT MATTERS

Rai Y. Okamoto, Director of Planning, said that there had been and would be a number of meetings of interest to the Commission. There had been a meeting on February 17th in the Mayor's Office which was attended by representatives from the Port; the City Planning Commission and the Department of City Planning; the Redevelopment Agency and the Mayor's Office. It related to the coordination of efforts in the area of the Central Waterfront. A model resolution, related to cooperative efforts between City Agencies is being drafted by the City Attorney.

The Director said that the first of a series of meetings related to planning efforts in the OMI area had taken place. With respect to a joint meeting of the City Planning Commission and the San Francisco Redevelopment Agency Board, the Director said that he had received a letter from Mr. Wilbur Hamilton in which he had indicated that he could not see much need for a joint meeting at this time. With respect to the proposal for Embarcader Center No. 4, the Director said that there is staff contact between the Department of City Planning and the San Francisco Redevelopment Agency.

The Director reported that the Ralph K. Davies Medical Center matter would be on the Board of Supervisors' calendar for Monday, February 27, 1978.



R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), reported that the Board of Permit Appeals had upheld two City Planning Commission decisions. One case related to the proposed Doggie Diner at 16th and Valencia Streets; the other related to the El Drisco Hotel. In each instance the Board of Permit Appeals voted 3 to 2.

The Director provided the Commission with a short update related to the Environmental Management Plan. He said that the Department of City Planning would have extra time to respond to the Plan and that the Department wished to make a presentation to the Commission by March 16, 1978.

The Director said that the Department had received a number of inquiries and questions about the adequacy of downtown zoning. He said that the fundamental question was whether there are opportunities to re-examine the continuing spread of office buildings. He said that there was nothing directly related in the Work Program for FY1978-79, but that there might be some opportunity through the Commerce and Industry Element of the Master Plan. Commissioner Starbuck said that there should be a Committee Meeting in March to consider this question.

President Rosenblatt said that the San Francisco Redevelopment Agency had requested a joint meeting on March 14, 1978, to consider certification of the Final Draft of the Environmental Impact Report for the Yerba Buena Center Project. The Commission agreed and requested that Selina Bendix, Environmental Review Officer, attempt to have the item scheduled for 4:00 p.m. as the first item on the Agency's calendar.

With respect to the proposed Federal Reserve Bank Building at Mission and Main Streets, Commissioner Starbuck said that \$600,000 had been spent for architectural work and that he feared violation of "bulk" guidelines. The Director said that he thought that they are aware of possible problems related to "bulk" guidelines.

With respect to the Yerby Development, Commissioner Starbuck said that in 1976 the Commission had acquiesced and, contrary to the Master Plan, had approved commercial as opposed to residential development. The Commission had believed that there was no market for housing in that area. Now, he said, the San Francisco Redevelopment Agency has approved seventy-two (72) single family houses in that area. He said that they should be more cautious in the future. When asked, Commissioner Dearman was told that the dwellings would be at Keith and Anderson Streets.

Commenting to Commissioner Starbuck, Commissioner Bierman said that at the time of the hearing, there was a room full of people asking for jobs and not housing. That's why, she said, that decision was made.



DR78.7 - CONSIDERATION OF REQUEST FOR DISCRETIONARY REVIEW OF  
EE78.12 BUILDING PERMIT APPLICATION NO. 7712191 (2) FOR A  
FOTOMAT AT 1810 HAIGHT STREET.

R. Spencer Steele, Zoning Administrator, said that the proposal was for a typical fotomat. The neighborhood is disturbed, he said, and the staff has concerns related to traffic congestion and to pedestrian and transit vehicle conflicts.

The staff, Mr. Steele said, believes that the only appropriate fotomat on this site would be one oriented only to pedestrian traffic. For this reason, he said, the staff recommendation is for Discretionary Review and that the application be disapproved.

Mr. Larry De Spain, represented Fotomat. The expectation is that 50 percent of our business would be from pedestrian traffic, he said. We could not survive if we had to rely on 100 percent pedestrian traffic.

Responding to Commissioner Bierman, Mr. De Spain said that a store fronting on Haight Street would represent a considerable investment.

Commissioner Bierman expressed her belief that a significant traffic problem would result from this proposal.

Mr. Richard Nichols, President of the Haight Ashbury Neighborhood Improvement Association, said that he had submitted the request for Discretionary Review because of intense neighborhood concerns.

Commissioner Starbuck moved that the Commission take Discretionary Review. It was seconded by Commissioner Bierman and passed unanimously. Further, Commissioner Starbuck moved the staff recommendation for disapproval. It was seconded by Commissioner Dearman and passed unanimously as City Planning Commission Resolution No. 7895.

In voting to disapprove, Commissioner Dearman said that she had a problem with the proposal's probable impact on the bus loading zone. Commissioner Bierman said that she was concerned with the parking lot generally.

Mr. Steele said that the staff had indicated that it would respond more favorably to a purely pedestrian oriented facility and that the staff was prepared to work with the applicant.





EE74.286 - POST AND POWELL STREETS, NORTHEAST CORNER; LOT 7 IN ASSESSOR'S BLOCK 295.  
CONSIDERATION OF CERTIFICATION OF ENVIRONMENTAL IMPACT REPORT FOR SAKS FIFTH AVENUE RETAIL STORE; CONSTRUCTION OF MULTI-LEVEL STORE WITH FIVE FLOORS ABOVE GRADE AND ONE FLOOR BELOW OF RETAIL AND OFFICE SPACE (FITZHUGH BUILDING DEMOLITION)

R. Spencer Steele, Zoning Administrator, said that it was understood that the Commission had not had time to consider the final comments and responses to be included in the Environmental Impact Report. It is not, therefore, the recommendation that you act today, he said.

Linda Jo Fitz of Heritage, Nan Roch of Heritage and Stewart Morton of the Landmarks Board requested that the Commission permit additional comment on the Environmental Impact Report (EIR).

Mr. Steele said that the public hearing had been closed and that additional comment could not be included in the EIR.

Commissioner Starbuck said that, under CEQA guidelines once the public hearing is closed, it is closed.

Ms. Fitz said that a number of people wished nevertheless to comment. We understand, she said, that our comments cannot be made part of the final EIR.

It was moved by Commissioner Bierman, seconded by Commissioner Elliott and passed unanimously to continue the matter to March 9, 1978.

RS78.2 - PUBLIC HEARING ON TENTATIVE SUBDIVISION MAP FOR AN 11-UNIT CONDOMINIUM CONVERSION SUBDIVISION AT 1097 GREEN STREET, 1396-98 LEAVENWORTH STREET.

Alec Bash, City Planning Coordinator, presented the case report and the staff recommendation and summarized the subdivider's proposals. The staff recommendation was based upon the subdivider's willingness to comply with a number of conditions outlined in the draft resolution, with the following resolved clauses:

"THEREFORE BE IT RESOLVED, That the units to be converted are hereby determined to be not part of the low or moderate income housing stock of the City;

"AND BE IT FURTHER RESOLVED, That the City Planning Commission does hereby find that the condominium conversion subdivision at 1097 Green Street and 1896-1898 Leavenworth Street, Lots 22 and 23 in Assessor's Block 126 as set forth in the



tentative map submitted with referral No. RS78.2, is consistent with the Master Plan; provided, however, that the following conditions are complied with:

- "1. The sales program for the project shall promote affirmative action in housing, as required by Section 1342 of the Subdivision Code.
- "2. The present tenant or tenants of any unit to be converted shall be given a nontransferable right of first refusal to purchase the unit occupied, as required by Section 1385(d) of the Subdivision Code.
- "3. The subdivider shall comply with any applicable temporary, permanent, and low and moderate income relocation requirement of Section 1385(e), 1385(f), and 1385(g) of the Subdivision Code.
- "4. Tenants shall have a minimum of 120 days after recordation of the Final Map in which to relocate.
- "5. The subdivider shall provide a \$500 relocation assistance payment to those tenants not wishing to purchase.
- "6. The subdivider shall offer practical relocation assistance through a Real Estate Broker for those tenants requesting such service at no change in tenants."

With respect to the definition, in terms of rental costs, of low and middle income housing, Commissioner Bierman asked Mr. Bash, the date of HUD guidelines being applied. Mr. Bash replied that the guidelines were dated April 1976. Commissioner Bierman noted that they were two (2) years old. Mr. Bash said that HUD anticipated publication of revised guidelines in approximately two (2) months.

Commissioner Bierman said that she could no longer relate to the figures. She said that the Department was using outdated figures which were totally irrelevant and which were in conflict with everything one heard or read about the cost of housing in San Francisco. Mr. Bash said that the primary reason for relying on the HUD figures was that the Subdivision Code related definitions of low and moderate housing to the HUD guidelines.

President Rosenblatt asked if the applicant or a representative were present. No one came forward. He asked if there was anyone present who wished to comment on the proposal. No one came forward.





Commissioner Bierman said that she had received a very thoughtful letter from a tenant. She said that she believed that the letter was very serious. The letter was not signed. She said that she believed that fear was the reason for the letter not being signed. Commissioner Bierman said that she had a feeling that people were afraid to protest conversions for fear of rent increases. She said that the lack of tenant participation could be traced to this fear of rent increases.

President Rosenblatt asked if there was a recommendation from the Commission. Commissioner Elliott moved adoption of the staff recommendation and it was seconded by Commissioner Nakashima.

Commissioner Bierman made reference to the Master Plan and its reference to the desirability to decent and affordable housing. She said that she could not support conversions because they were cutting into the rental stock.

The Secretary called the roll, the vote was tied. Voting "No" were Commissioners Bierman, Dearman and Starbuck; voting "Yes" were Commissioners Elliott, Nakashima, Rosenblatt. Commissioner Carey was absent from the room. President Rosenblatt said that the application was denied as in accordance with the City Planning Commission rules and regulations, any matter before the Commission, receiving a tie vote, is deemed to be a disapproval. (Resolution No. 7896.)

Ms. Pat Kelly, the subdivider, said that she had spoken with each tenant, that she had 100% verbal approval and that five tenants had given written approval. She said that this information had been submitted to the staff but that it was not on the case report. The Director said that the information had been reflected in the staff's recommendation.

RS78.3 - PUBLIC HEARING ON TENTATIVE SUBDIVISION MAP FOR A 16-UNIT CONDOMINIUM CONVERSION SUBDIVISION AT 2205 SACRAMENTO STREET.

A case report was available. It was summarized by Alec Bash, City Planning Coordinator. The staff recommendation, he said, is for approval with conditions.

Commissioner Bierman asked Mr. Bash if he could approximate a monthly payment on a unit priced at \$108,000. Mr. Bash said that the payment would be approximately \$800.00 a month.

The applicant was represented by Mr. William Rosetti. Mr. Rosetti said that tenants would have 120 days, from recordation of the final map, within which to relocate.

Commissioner Dearman asked if conditions were enforceable. Mr. Bash said that not all conditions were enforceable.



The staff recommendation for approval with conditions was moved by Commissioner Nakashima, seconded by Commissioner Elliott and passed by a vote of 4-3, as City Planning Commission Resolution No. 7897. (Voting yes: Commissioners Carey, Elliott, Nakashima, Rosenblatt; voting no: Commissioners Bierman, Dearman, Starbuck.)

Commissioner Bierman said that her objection was based on the Master Plan provision for providing maximum housing choice. I am on record, she said, favoring a mix of low, moderate, middle and high income persons.

At this point in the proceedings, Commissioner Starbuck left the meeting room.

RS78.4 - PUBLIC HEARING ON TENTATIVE SUBDIVISION MAP FOR A 6-UNIT CONDOMINIUM CONVERSION SUBDIVISION AT 2921 WASHINGTON STREET.

A case report was available. It was summarized by Alec Bash, City Planning Coordinator. Mr. Bash said that the staff's recommendation was for approval with conditions.

William Rosetti, represented the applicant, Pat Kelly. Mr. Rosetti said that the proposed sales prices ranged from \$70,000 to \$86,000 and not \$100,000 to \$110,000. Mr. Rosetti said five of the six tenants had written letters of support.

It was moved by Commissioner Nakashima, seconded by Commissioner Elliott and passed by a vote of 4-2 to adopt the staff recommendation of approval with conditions as City Planning Commission Resolution No. 7898. (Voting yes: Commissioners Carey, Elliott, Nakashima, Rosenblatt; voting no: Commissioners Bierman, Dearman.)

At this point in the proceedings, Commissioner Starbuck returned to the meeting room and resumed his seat at the Commission table.

RS78.5 - JOINT PUBLIC HEARING OF THE CITY PLANNING COMMISSION AND THE DEPARTMENT OF PUBLIC WORKS ON A TENTATIVE SUBDIVISION MAP FOR A 64-UNIT CONDOMINIUM CONVERSION SUBDIVISION AT 1101 GREEN STREET.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), noted the fact that this was a joint public hearing with the Department of Public Works and introduced Mr. George Woo who represented the Department of Public Works.

Mr. Alec Bash, City Planning Coordinator, summarized the case report and noted that the proposal would be amended to include sixty-five (65) condominium units.



Mr. Bash noted that the Subdivision Code required thirty-five percent (35%) tenant approval in buildings containing fifty or more units. To this end, the subdivider had assisted the Department of Public Works in a validation survey. Mr. Bash said that he had been informed by Mr. Woo that the survey revealed that forty-six percent (46%) of the tenants agreed in principle to the conversion.

Commissioner Dearman asked who would enforce condition no. 1 of the draft resolution. Mr. Bash said that he understood the Department's role as one of establishing conditions for approval by the Department of Public Works of a tentative map. Mr. Woo said that he thought that the State Real Estate Commission would monitor the conditions and could look into violations.

Commissioner Carey pointed out a typographical error in the second "Further Resolved" clause. The clause should have stated that the City Planning Commission finds the condominium conversion subdivision is consistent with the Master Plan.

President Rosenblatt asked if anyone wished to speak with respect to the matter. Mr. Richard Jensen, representing the subdivider, asked to clarify a number of conditions of the draft resolution. He said that the subdivider proposed voluntarily to offer, to eight (8) of the nine (9) tenants who were at least 62 years of age, a letter of guarantee not to evict if there did not occur either a default on rent or a violation of building rules. Also, he said that these tenants would receive a six-month renewable lease, for every year of previous occupancy, with any rent increase during the period tied to expense and increase in the cost of living. He further stated that the two studios would be priced at \$39,000 and \$42,900 and that condition no. 1 of the draft resolution as proposed would be amended to incorporate these prices. Further, sales prices to tenants will be 10% below those offered to the general public and would not exceed the net sales prices of the Sales Price Schedule dated 2/14/78.

Mr. Jensen described the building as a twenty (20) story luxury apartment building. He said that contractors and engineers had been retained at the subdivider's expense to investigate the structural condition of the building. He said that copies of all engineering reports would be provided to each tenant. Also, he said that the elevators would be upgraded beyond present code requirements. Further, he said that consents in principle had been received and filed for fifty-one percent (51%) of the units.

Commissioner Starbuck asked if those opposed had given reasons. Mr. Jensen said that there had been a variety of reasons.

Mr. Scott McRay, a resident of the building, said that he favored the conversion.





President Rosenblatt asked if the State Real Estate Commission had done a survey without giving tenants any indication of price. Mr. Bash replied in the negative.

Mr. Gerald Asher, a resident of the building, said that he opposed the conversion because of the selling prices, because of the lack of adequate parking and because his cost of living would escalate from \$800.00 a month to \$3,000.00 a month after conversion. He said that the cost of living in his unit would double. Mr. Asher said that he believed that many people were very unhappy with the conversion.

Commissioner Starbuck asked Mr. Asher how he had arrived at the costs related to his unit. Mr. Asher replied that Mr. Seegus had done the computations. He added that the building was charming but not luxurious.

Patricia Goodlet, a tenant, said that she opposed conversion, that she could not possibly afford to buy. She said that this was a personal reason.

Mr. Phillip Pollock, a resident, said that the parking condition was troubling, that resale without parking would be a real problem.

Mr. Robert Inslow, a resident, expressed concern about the condition of the building with respect to code standards. He wondered if owners might not find themselves with big repair bills in the future. Mr. Bash replied that he did not think so.

Ms. Ruth Poe, a resident, wanted to know the number of studios in the building. She said that she would find it difficult to purchase and would worry about the resale. She asked if the building was up to Code and noted that it was a very old building, built in 1929.

Commissioner Bierman asked if sales prices had been discussed when that survey produced forty-six percent (46%) tenant consent.

Mr. Woo said that the letters to tenants didn't mention prices, but that he thought that the subdivider had probably told tenants something about the prices.

Mr. Jensen said that in the subdivider's survey, maximum sales prices were discussed.

Mr. Paul Seegus, the subdivider, said that tenants had been given an indication of prices before tenant discounts. He said that parking will be no worse than it is now. The Homeowners Association, he said, would regulate the parking facility. The program for the elderly was, he said, designed to maintain units for those with a history of long term residence. He said that efforts had been made to reduce the impact of moving on all tenants. In his survey, he said that the elderly had not always been asked for its consent.



Commissioner Elliott moved adoption of the staff recommendation for approval. It was seconded by Commissioner Carey. The draft resolution contained the following resolved clauses:

"THEREFORE BE IT RESOLVED, That the 2 studios to be converted are hereby determined to be part of the moderate income housing stock of the City, and their purchase prices can be established by condition so as not to effectively remove them from such moderate income housing stock;

"AND BE IT FURTHER RESOLVED, That the City Planning Commission does hereby find that governmental subsidies for low and moderate income occupancy are not available to the subdivider, and consequently, that the subdivider is not required by the Subdivision Code to make available ten percent of the proposed units for low and moderate income occupancy;

"AND BE IT FURTHER RESOLVED, That the City Planning Commission does hereby find that the condominium conversion subdivision at 1101 Green Street, Lot 1 in Assessor's Block 125, as set forth in the tentative map submitted with Referral No. RS78.5, is consistent with the Master Plan; provided, however, that the following conditions are complied with:

- "1. The price of the 2 studios upon conversion shall not exceed \$39,600 and \$42,900 so as to remove them effectively from the City's moderate income housing stock, as required by Section 1385(b) of the Subdivision Code.
- "2. The sales program for the project shall promote affirmative action in housing, as required by Section 1342 of the Subdivision Code.
- "3. The present tenant or tenants of any unit to be converted shall be given a nontransferable right of first refusal to purchase the unit occupied, as required by Section 1385(d) of the Subdivision Code.
- "4. The subdivider shall comply with any applicable temporary, permanent, and low and moderate income relocation requirement of Section 1385(e), 1385(f), and 1385(g) of the Subdivision Code.





- "5. Tenants shall have a minimum of 120 days after the recordation of the Final Map in which to relocate.
- "6. The subdivider shall reimburse moving expenses, for those tenants not wishing to purchase, within the Bay Area up to \$1000 upon prior written approval of estimates.
- "7. The subdivider shall provide to tenants, 62 years or older who occupy a unit as a sole residence, a six-month renewable lease for each year of occupancy with rent increases during that period tied to expense and any increase in the cost-of-living.
- "8. Sales prices to tenants shall be 10 percent below those prices at which units are offered to the general public, and shall in no case exceed the Net Sales Price in the document entitled Bellaire Tower Unit Sales Price Schedule, dated 2/14/78 and identified as Exhibit A.
- "9. Approval shall be for sixty-five (65) units and thirty-four (34) parking stalls."

Commissioner Starbuck said that he was opposed to this conversion. He said that in it were crystalized many of the problems which the Commission had become aware of. He said that tenants could have no sense, at this stage, of ballooning carrying charges. About this building, he said that economists would agree that it is artificially appreciated. Attempts at resale would require selling for significantly more than purchase price. He said that this conversion represented removal of rental housing from the upper middle end of the housing stock.

The application was disapproved by a 3 to 4 vote. Voting "Yes" were Commissioners Carey, Elliott and Rosenblatt; voting "No" were Commissioners Bierman, Dearman, Nakashima and Starbuck. (Resolution No. 7899.

RS78.6 - PUBLIC HEARING ON A TENTATIVE SUBDIVISION MAP FOR A 6-UNIT CONDOMINIUM CONVERSION SUBDIVISION AT 1158-68 GREEN STREET.

A case report was available. It was summarized by Alec Bash, City Planning Coordinator. Mr. Bash said that the staff recommendation was for approval with conditions.



Joseph Perrelli, the applicant, said that efforts had been made to confer with all tenants. He said that proposed prices had been discussed. One tenant wished to buy, he said, two tenants have some interest and three tenants have no interest at all. There was no opposition, he stressed.

The staff recommendation for approval with conditions was moved by Commissioner Elliott, seconded by Commissioner Carey and passed by a vote of 4-3, as City Planning Commission Resolution No. 7900. (Voting yes: Commissioners Carey, Elliott, Nakashima, Rosenblatt; voting no: Commissioners Bierman, Dearman, Starbuck.)

RS78.7 - PUBLIC HEARING ON A TENTATIVE SUBDIVISION MAP FOR AN 18-UNIT CONDOMINIUM CONVERSION SUBDIVISION AT 439 GREENWICH STREET.

A case report was available. It was summarized by Alec Bash, City Planning Coordinator. The staff recommendation, Mr. Bash said, is for approval with conditions.

With respect to the one-bedroom unit, the rental of which was in the moderate income range, Commissioner Dearman asked why it had not been defined as a moderate income unit. Mr. Bash said that, often any number of factors result in units, of equal quality, having different rental rates. This unit's rental rate has lagged behind.

William Rosetti represented the subdivider, Heritage Properties.

Commissioner Bierman asked Mr. Bash what was meant by moderate-income. Mr. Bash said that the Subdivision Code, using HUD criteria, defined moderate-income. In 1976, HUD defined moderate-income for a family of four (4) as \$17,000 annually. In 1977, it was approximately \$20,500, Mr. Bash said.

Commissioner Bierman said that she believed that the HUD figure might not be valid and that many of the units, beyond the moderate income range as defined by the Subdivision Code, might indeed be moderate-income units.

It was moved by Commissioner Carey, seconded by Commissioner Elliott and passed by a vote of 4-3 to adopt the staff recommendation for approval with conditions as City Planning Commission Resolution No. 7901. (Voting yes: Commissioners Carey, Elliott, Nakashima, Rosenblatt; voting no: Commissioners Bierman, Dearman, Starbuck.)

With respect to RS78.2, re Condominium Conversion Subdivision at 1097 Green Street, heard by the Commission earlier in the meeting. Susan Passovoy representing the applicant, Grubb and Ellis, said that the application was disapproved only because one Commissioner was absent when the matter was voted on. She requested that the City Planning Commission reconsider.



Responding to Ms. Passovoy, President Rosenblatt said that the Commission had never "re-taken" a vote or reconsidered a vote. Commissioner Dearman said "we'll rehear everything or nothing".

Commissioner Elliott said that he would want, if the rules permit, to reconsider the matter. Commissioner Carey said that the Commission had turned down other requests of this kind. It puts me in an awkward position and it presumes the direction of my vote. I would have to hear all the testimony, he said.

Commissioner Elliott's motion to reconsider, died for lack of a second.

The Commission chose not to rehear the matter.

RS78.9 - JOINT PUBLIC HEARING OF CITY PLANNING COMMISSION AND THE DEPARTMENT OF PUBLIC WORKS ON A TENTATIVE SUBDIVISION MAP FOR A NEW 84-UNIT CONDOMINIUM SUBDIVISION AT 19TH AVENUE NORTH OF SLOAT BOULEVARD.  
(COMMISSION PREVIOUSLY APPROVED THE PROJECT AS A P.U.D.)

President Rosenblatt asked and the Commission agreed to dispense with the case report. Mr. Alec Bash, City Planning Coordinator said, that the staff recommendation was for approval with conditions.

It was moved by Commissioner Elliott, seconded by Commissioner Nakashima and passed unanimously to adopt the staff recommendation for approval with conditions as City Planning Commission Resolution No. 7902.

At this point in the proceedings, Commissioner Elliott left the meeting room.

RS77.32 - PUBLIC HEARING ON TENTATIVE SUBDIVISION MAP FOR AN 11-LOT SUBDIVISION AT MINERVA STREET AND SUMMIT STREET.

A case report was available. It was summarized by Alec Bash, City Planning Coordinator. The staff recommendation, Mr. Bash said, is for approval with conditions.

Because neighbor in the area had a number of questions about the proposal and had not had the opportunity to consult with the developer, Commissioner Bierman moved that the matter be continued to March 23, 1978. The motion was seconded by Commissioner Dearman.

President Rosenblatt said that Douglas Holmen, Planner II, would act as an intermediary and assist in convening a meeting.

At this point in the proceedings, Commissioner Elliott returned to the meeting. The motion to continue to March 23, 1978, passed unanimously.





CONSIDERATION OF PROPOSED RECOMMENDATION TO THE BOARD OF SUPERVISORS ON AMENDMENTS TO THE SUBDIVISION ORDINANCE AS IT PERTAINS TO CONDOMINIUM CONVERSION SUBDIVISIONS.

After some discussion, Commissioner Bierman moved and Commissioner Starbuck seconded that the Commission recommend to the Board of Supervisors that it impose a ninety (90) day moratorium on the acceptance of residential condominium conversion subdivision applications, during which time a special group or committee representing all interested sectors of the community would be formed to fully study the matter (including the proposed amendments) that the staff recommendations be amended to include a mandatory thirty-five percent (35%) tenant approval for all conversions of five (5) or more units and that those recommendations, with the exception of those related to controls on unit sales prices, be considered by the Board of Supervisors as possible amendments to the Subdivision Ordinance as it pertains to Condominium Conversion Subdivisions.

Commissioner Bierman stressed, with respect to the proposed study that the study committee should include tenant input, that the Department should coordinate the study and that the entire subject of conversions should be studied. One missing factor in this entire subject, she said, is what changes have rents undergone in the last year or two.

Ronald Zimmerman, of the real estate community, asked if commercial condominiums would be excluded and asserted that the Commission should get a City Attorney's opinion on its actions.

Commissioner Elliott wondered if the moratorium was really necessary and expressed concern about the interference with the operation of the private market.

The motion made by Commissioner Bierman and seconded by Commissioner Starbuck, passed unanimously as City Planning Commission Resolution No. 7903.

The meeting adjourned at 6:55 P.M.

Respectfully submitted,

Lee Woods  
Secretary



APR 30 1978

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CITY PLANNING COMMISSION  
SUMMARY AND MINUTES  
OF THE  
SPECIAL MEETING  
TUESDAY  
FEBRUARY 28, 1978  
HERBERT HOOVER JUNIOR HIGH SCHOOL  
2290 - 14TH AVENUE AT SANTIAGO STREET  
7:30 P.M.

The City Planning Commission met pursuant to notice on Tuesday, February 28, 1978, at 7:30 p.m., at Herbert Hoover Junior High School, 2290 - 14th Avenue at Santiago Street.

PRESENT: Susan J. Bierman, Ina F. Dearman, Virgil L. Elliott, Yoshio Nakashima, John Wentz, members of the City Planning Commission.

ABSENT: Toby Rosenblatt, President; and Charles Starbuck, member, City Planning Commission.

The staff of the Department of City Planning was represented by R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); Robert W. Passmore, Planner V (Zoning); Mark Winogrand, Planner III and Director of the Residential Zoning Study; Robert Feldman, Planner II; Carol Sugarman, Planner I and Lee Woods, Secretary.

The press was represented by Gerald Adams, San Francisco Examiner and Dan Borsuk, San Francisco Progress.

CONSIDERATION OF THE PORTIONS OF PROPOSED ZONING MAP COVERING SOUTHWEST PART OF CITY.

After an introductory slide show by the staff, public testimony was taken. The first person to speak was Anna Thompson, a member of the Inner Sunset Action Committee. She made the following statement:

"My name is Anna Thompson, and I am a long-time resident property owner on Seventh Avenue in the Inner Sunset. I am a member of ISAC, the Inner Sunset Action Committee, and as an organization, we have worked very hard to try to preserve what is good in our area and in San Francisco as a whole. This study 'The Inner Sunset Action Committee's Response to the Height and Bulk Limits Proposed to the City Planning Commission' is dated April 20, 1972. It showed our concern then to try to preserve existing housing. The maps on the walls also testify to the many hours we spent studying existing and desired zoning.





Also all residents and property owners in the area were contacted, and we had the support of the majority of the property owners affected by the rezoning. We felt we had gained a real victory when the Board of Supervisors accepted our rezoning proposal, the largest rezoning of residential property achieved by any neighborhood association in the history of San Francisco.

"Our interest then and now is the same as yours stated in the text of the proposed planning code, Section 206, paragraph A, '...the preservation, improvement, and maintenance of the existing housing stock...' Existing housing is the key word. There is a great need to make demolition and rebuilding to higher densities less attractive. Couldn't there be a simpler designation so the average person would understand that R-1 would mean one family, R-2, 2 family, R-3, 3 family, and R-50, 50 family? Also, if there was to be a change from the existing building, before demolition and a permit was granted, couldn't the Commission and interested neighbors require a review for the change?

"I feel very sad as I see what is happening in our neighborhood--neighborhood stores are being forced to close, neighborhood schools, Polytechnic already closed, and Laguna Honda scheduled for closing, and single family homes demolished over night. Just up the block from me, a one family dwelling has been replaced by flats renting at \$550 a month. What average family can afford to put that much of their income into rent alone? Is San Francisco going to be for home owners and renters interested in improving living conditions in San Francisco now and in the future or for absentee owners interested only in how much money they can realize on their property and who couldn't care less what happens to San Francisco?

"What safeguards can the average home-owners be given? We in ISAC and other neighborhood organizations have studied the zoning proposed by the Commission and would like to highlight the major problems and concerns we have."

Marcia Lindeen, of ISAC, said that Arguello between Carl and Frederick on the east side should have an RH-2 classification retained. In terms of UC Medical Center activities on 3rd Avenue between Irving and Parnassus, she asked if enforcement was carried out. Finally, she said, she would like to see new residential areas developed but not existing areas over-developed.

Mr. John Bardis of ISAC said that the new Code should make some statement on demolition. He said that the need for enforcement may be a bigger problem than the need for a new Code.



SUMMARY AND MINUTES SPECIAL MEETING -3- FEBRUARY 28, 1978

Allan Chalmers, member of ISAC, said that the zoning should reflect existing densities and character but that there was no point in making a new code or zoning if there is no enforcement.

Gary Faldesy of the Twin Peaks Improvement Association (TPIA), said that the Association had appeared previously before the Commission on a Villa Terrace and Graystone Burnett matter. He said that for the vacant lots in the Association's area, the Association recommended RH-1 and RH-1-D zoning classifications.

Ben Silen, a resident at 320 Wawona Street, said that the main issue in San Francisco was a high demand for housing. He said that restricted "downzoning" would increase the price of housing. He further said that San Francisco was beautiful in spite of a restricted attitude. He said that the illegal extra units were an indication of the demand for housing in San Francisco. Further, he said, that if the proposed code were enacted, it should not be implemented immediately. He asked who the ISAC really represented.

Ike Feltzer asked if the Assessor's Office was involved in this Residential Zoning Study and what the Assessor's opinion was.

Mark Winogrand, Planner III and Director of the Residential Zoning Study, said that the Assessor's Office had been consulted and that assessment was based on the highest and the best use. Mr. Feltzer was concerned that residents of the Sunset would pay the bill for downzoning. He asked if in the case of downzoning, the Assessor would reduce his assessment. The staff could not confirm this.

~~Janis Moseofy~~  
Denis Mosgeftian  
Janis Moseofy, a resident of 10th and Lincoln, and a member of ISAC, said that the work of speculators had had a devastating impact on her neighborhood and that 200 apartment units had been built on her block alone. She said that she believed that the outlay from the speculator constructing four buildings was less than the investment in her own house. She asked if the Code dealt with the question of a large population of transient single people. She said that the Master plan resulted in high rise construction which resulted in an increased labor force which demanded multi-unit construction in single-family neighborhoods.

Mr. Lee More expressed concern about Section 209.2(d) allowing hotels of 5 or fewer rooms by conditional use. He asked what was the basis of 5 rooms. The staff responded by saying that the number 5 came from the Building Code, not the City Planning Code.

Mr. Larry Lee, a resident of the Sunset District, said that "downzoning" meant increased taxes and decreased investment potential.



SUMMARY AND MINUTES SPECIAL MEETING -4- FEBRUARY 28, 1978

Howard Strassuer, a resident at 419 Vicente, said that he would like the Commission to consider reversed zoning. He said that he thought that commercial zones could be zoned for limited residential use and that residential development could be tied to commercial development.

Lorraine Portello expressed concern about the property at 798 Monterey Boulevard which she said was being proposed as RH-3. She requested that it be zoned so as to allow commercial development. She said that the lease of the property, currently a non-conforming use, was a source of income for her aged parents.

Nancy Pettingilo, a resident of 1911 - 48th Avenue, Sunset Ocean Beach Committee, said that a number of agencies including City Planning Commission, GGNRA and the Coastal Commission had discussed the classification of the area and it was the consensus of opinion that the area be zoned as RH-1 and that RH-2 would be inappropriate.

She said that housing should be a low-key element in the area and that in some parts of the area RH-2 could aggravate the serious parking problem.

Helen Gurman said that half of her block was "downzoned". She asked if their taxes would be limited if the zoning was limited.

Vincent Walsh said that he would like those areas which were excluded from the Residential Zoning Study because of recent re-zonings by the Board of Supervisors, to be included. He said that the block of 11th Avenue between Irving and Judah should be changed to RM-1. He said that the enabling legislation of 1974 by the Board of Supervisors was for the entire City and he wondered how some districts were excluded from the study.

Mr. Winogrand said that anything acted upon by the Board of Supervisors within the past five years had not been reanalyzed by the staff.

Harold Seldman of the Sunset Ocean Beach Committee said that the proposed RH-2 in his area would conflict with the Coastal Commission guidelines of 1978.

Michael Merchanic of the Parnassus Hill Association said that his association was opposed to any change, and that anything above RH-2 would be destructive.

Steven Halperin, a resident of 1744 - 14th Avenue, said that the mapping for his area was fair. He said that the property owners in his area requesting a hearing, should be canvassed before a public hearing. He said, that in-law units should be safe.





Cyril Volk, a resident at 1600 Noreiga, said that the 1600 and 1700 block of Noreiga should be zoned commercial as the 1800 block was. He said that the area from 23rd Avenue to 25th Avenue should be zoned commercial.

Ernest Marks said that "downzoning" would eliminate many apartment and that developers' ability to bring prices down will be curtailed.

Jim Perry, a resident at 1444 - 14th Avenue, said that he opposed "downzoning".

Eric Moncour, a resident at 1866 Great Highway, said that his block was composed of single-family houses and that the proposed zoning was RH-2. He said that the big 2-story buildings would dwarf and shade the smaller buildings in the block. He said that the Great Highway at 48th Avenue should be zoned RH-1.

At the close of public testimony, President Rosenblatt said that it was the Commission's intent to hold an additional hearing to give those, who had not had an opportunity to testify, a chance to do so. That meeting, he said, is scheduled for the evening of March 7, 1978, at City Hall.

It was moved by Commissioner Bierman, seconded by Commissioner Dearman to continue the matter to March 7, 1978. The motion passed unanimously.

The meeting adjourned at 11:00 P.M.

Respectfully submitted,

Lee Woods  
Secretary



SAN FRANCISCO  
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, March 2, 1978.

The City Planning Commission met pursuant to notice on Thursday, March 2, 1978,

PRESENT: Toby Rosenblatt, President; Susan J. Bierman, George Carey, Virgil L. Elliott, Yoshio Nakashima, Ina F. Dearman, Charles Starbuck, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); Robert W. Passmore, Planner V (Zoning); Marie Zeller, Planner III; Jonathan Twichell, Planner III; Wayne Rieke, Planner IV (Zoning); Nathaniel Taylor, Planner II; Charles Gill, City Planning Coordinator; and Lee Woods, Secretary.

Gerald Adams represented the San Francisco Examiner and Dan Borsuk represented the San Francisco Progress.

RESOLUTION AUTHORIZING THE DIRECTOR TO ACCEPT A FEDERAL GRANT TO IMPLEMENT THE TRANSIT PREFERENTIAL STREET DEMONSTRATION PROJECT.

Commissioner Starbuck expressed concern that this was just another planning grant.

Jonathan Twichell, Planner III, said that this was indeed a grant for implementation.

Commissioner Bierman moved to authorize the Director to accept the Federal Grant to Implement the Transit Preferential Street Demonstration Project. It was seconded by Commissioner Dearman and passed by a vote of 6-1, as City Planning Commission Resolution No. 7904. (Voting yes: Commissioners Bierman, Dearman, Carey, Elliott, Nakashima, Rosenblatt; voting no: Commissioner Starbuck.)

RESOLUTION OF INTENTION BY CITY PLANNING COMMISSION TO AMEND THE CITY PLANNING CODE SO AS TO REQUIRE CONDITIONAL USE AUTHORIZATION FOR ALL BARS IN C-1 (NEIGHBORHOOD SHOPPING) AND C-2 (COMMUNITY BUSINESS) DISTRICTS, AND CERTAIN AMUSEMENT ENTERPRISES IN C-2 (COMMUNITY BUSINESS) DISTRICTS.

Robert Passmore, Planner V (Zoning), said that the action before the Commission did not include a provisions for restaurants. To include restaurants, he said, would require a major commitment in terms of manpower.





Ann Bloomfield said that a bar should be defined as any institution with a full service bar.

Commissioner Starbuck moved approval of the draft resolution of intent to amend the City Planning Code to require Conditional Use Authorization for all Bars in C-1 (Neighborhood Shopping) and C-2 (Community Business) districts, and Certain Amusement Enterprises in C-2 (Community Business) Districts. It was seconded by Commissioner Nakashima and passed unanimously as City Planning Commission Resolution No. 7905.

INFORMATIONAL PRESENTATION BY HASTINGS COLLEGE OF THE LAW,  
DESCRIBING THE CURRENT STATUS OF THE PROPOSED HASTINGS LAW  
CENTER.

Ronald Rossi, representing Hastings, said that the need for additional space was based on both academic and accreditation requirements. In terms of our proposed expansion, there will be no residential relocation and those businesses being displaced will relocate in the immediate area, he said.

Allan Ruddi, of Skidmore, Owens and Merrill, the project architect stressed that Hastings had limited itself to an area less than an entire block.

At this point in the proceedings, Commissioner Dearman left the meeting.

Commissioner Starbuck asked if Hastings would have any interest in seeking Federal funds to provide for combined student housing and senior's housing at the site of the Empire Hotel. It was agreed that Hastings would consider this possibility.

CU78.7 - 1759 SUTTER STREET, SOUTH SIDE, 212 FEET EAST OF  
EE77.403 BUCHANAN STREET; LOT 25 IN ASSESSOR'S BLOCK 686;  
IN AN R-4, PROPOSED RM-3 DISTRICT.  
PROPOSAL TO CONSTRUCT A COMMUNITY CENTER BUILDING  
AS A PLANNED UNIT DEVELOPMENT WITH A REAR YARD 15  
FEET DEEP.  
(THE APPLICANT HAS REQUESTED THAT THE MATTER BE  
CONTINUED.)

President Rosenblatt asked if there was any opposition to the request for postponement. No one raised any objection.

It was moved by Commissioner Carey, seconded by Commissioner Nakashima and passed unanimously that this matter be postponed to April 13, 1978.



CONSIDERATION OF PROPOSED RECOMMENDATIONS TO THE BOARD OF SUPERVISORS ON AMENDMENTS TO THE SUBDIVISION CODE AS IT PERTAINS SPECIFICALLY TO THE PRESERVATION OF LOW AND MODERATE INCOME HOUSING IN CONDOMINIUM CONVERSION SUBDIVISIONS AND THE PRICING OF CONDOMINIUM UNITS FOR TENANTS IN RELATION TO PRE-CONVERSION RENTS.

Rai Y. Okamoto, Director of Planning, said that the Department had been informed by the Clerk of the Board that the recommendations had to be in legal form. To this end, he said, we are consulting with the City Attorney's Office.

The Director said that the Commission had before it, a draft resolution recommending to the Board of Supervisors, amendments to the Subdivision Code.

Commissioner Bierman moved approval of the draft resolution. It was seconded by Commissioner Starbuck.

Commissioner Elliott said that he had believed that the Commission would defer indefinitely the pricing issue.

Commissioner Bierman said that the Board of Supervisors already had the power to set prices on those units which are a part of the low and moderate income housing stock.

Barbara Bales of the real estate community said, that a restriction on low and moderate income sales prices would make the tenant a speculator. Nathaniel Taylor, Planner II, said that this had been anticipated. He said, that the subdivider would have a right of first refusal with respect to the initial tenant during an initial two-year period. The initial price would be adjusted for inflation, he said.

President Rosenblatt said that he intended to vote no. There is still the question of a reasonable profit, he said. It seems to me that it is a major step toward profit control on real estate.

Commissioner Elliott said that it seemed to be discriminatory against one type of property. It may be unconstitutional, he said.

Commissioner Bierman said that the Commission was sending the recommendations to the Board of Supervisors for it to consider during the Moratorium. I would be willing to defer this for a week, she said.

Commissioner Starbuck said that others were proposing anti-speculator legislation. He suggested that the staff's approach seemed more rational.



Commissioner Bierman moved that the matter be continued to March 9, 1978. Commissioner Starbuck seconded the motion and it passed unanimously.

ZT78.2 - PUBLIC HEARING ON PROPOSED CHANGE IN TEXT OF THE  
EE77.406 CITY PLANNING CODE AMENDING SECTION 302 AND OTHER  
APPROPRIATE SECTIONS TO MODIFY PROCEDURES FOR ZONING  
RECLASSIFICATIONS AND SET-BACKS.  
(CONTINUED FROM THE MEETING OF FEBRUARY 2, 1978.)

Robert Passmore, Planner V (Zoning), introduced a draft resolution disapproving an amendment to Section 302(e) of the City Planning Code.

Commissioner Elliott asked if there was a relationship between the proposed amendment and the Residential Zoning Study. Mr. Passmore said that concerns, related to Article 3, the Administrative and procedural part of the Code, had been raised during the Residential Zoning Study hearings.

Ed Lawson, representing the Chamber of Commerce, said that no other city in the State had an Ordinance like Section 302(e). He recommended repeal. There is "due process" in terms of the Residential Zoning Study, he said.

Commissioner Starbuck asked Mr. Passmore if Section 302(e) had been utilized in the most recent citywide zoning study. Mr. Passmore said yes, and that there had been no great rush of applications for reclassifications during the period of interim controls.

Robert Katz of the Telegraph Hill Dwellers, said that Section 302(e) was a most valuable protection against bad development. The Article, he said, gives everyone a basis for knowing what can or cannot be built. He said that he opposed repeal.

Commissioner Starbuck moved disapproval of the proposed amendment to Section 302(e) of the City Planning Code. It was seconded by Commissioner Nakashima and passed unanimously as City Planning Commission Resolution No. 7906.

STAFF PRESENTATION ON FINAL DESIGN DRAWINGS OF THE PEDESTRIAN BRIDGE, PARK, GARAGE AND MAINTENANCE BUILDING OF THE NORTH POINT PIER PROJECT. (SIMMONS' PROJECT).

Participating in a discussion of the Pedestrian Bridge, Park, Garage and Maintenance Building of the North Point Pier Project, with the City Planning Commission were the following individuals:





Dimitri Verdensky, Civic Design Committ, Arts Commission; Sandy Walker, Simmons' Project Architect; Warren Simmons, Project Developer; Robert Katz, Telegraph Hill Dwellers; David Dibble, Telegraph Hill Dwellers; and Greg Jones, San Francisco Tomorrow.

At the conclusion of the meeting, President Rosenblatt commented on the desirability of including more grass in the park. Mr. Simmons agreed that he would make additional efforts to include more grass in the park. Still, I must come to you for final park permit approval, he said.

The meeting adjourned at 6:40 p.m.

Respectfully submitted,

Lee Woods  
Secretary



- SAN FRANCISCO  
CITY PLANNING COMMISSION  
SUMMARY AND MINUTES OF THE SPECIAL MEETING  
TUESDAY  
MARCH 7, 1978  
ROOM 282, CITY HALL  
7:30 P.M.

The City Planning Commission met pursuant to notice on Tuesday, March 7, 1978, at 7:30 p.m., in Room 282, City Hall

PRESENT: Toby Rosenblatt, President; Ina F. Dearman, Vice-President; Susan J. Bierman, Virgil L. Elliott, Yoshio Nakashima, Charles Starbuck and John Wentz, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; Robert W. Passmore, Planner V (Zoning); Mark Winogron, Planner III and Director of Residential Zoning Study; Robert Feldman, Planner III, Gary Craft, Planner II and Lee Woods, Secretary.

Gerald Adams represented the San Francisco Examiner and Dan Borsuk represented the San Francisco Progress.

PUBLIC HEARING ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR PROPOSED  
AMENDMENTS TO THE TEXT OF THE CITY PLANNING CODE AND TO THE ZONING  
MAP RELATING TO RESIDENTIAL DISTRICTS AND DEVELOPMENT.  
(CONTINUED FROM THE MEETING OF JANUARY 9, 1978 )

After brief introductory remarks by Mr. Winogron, the first person to testify was Ramona Albright, representing Twin Peaks Improvement Association

She said that in her area, there were many illegal or in-law units and said that there was need for strict enforcement of the Code. She said that these illegal units caused confusion on part of renters and the possibility of burglary increases. She also said that, as a result of illegal units, auto congestion increased and that there was danger from fire and pests. Further she said that because of it there was a higher tax burden on neighbors. She said that those living in illegal units were being exploited.

Responding to a question from Ms. Albright, Mr. Winogron said that RH-1-S, a district permitting legal in-law units, was not currently mapped and that it would not be mapped until requested.

President Rosenblatt said that RH-1-S, if adopted in the Code, could be applied for.

Mr. Patrick Walsh of the Rossi Park Improvement Association said that real estate value was going to increase in San Francisco, but that all he hears about is downzoning. He said that the property must be put to its best use and that people should be allowed to upgrade their property, if possible.

Mr. Larry Bacon of the Presidio Heights association of Neighbors said that currently Sacramento Street between Lyon and Spruce was zoned C-2. He said that at that point, one fifth of the units had been lost to commercial development. He said that they would like to see a balance retained. He said that he had 700





MARCH 7, 1978

signatures from neighbors and merchants who supported their remapping proposal to R-3-C. He said that they filed a rezoning application in the old code because of continuing problem of compliance of the upper stories provision.

Omar Salah, a member of the Residence Builders Association, said that 80% of the residential builders were San Francisco residents. We are not speculators, he said. He said that the proposed changes involved a reduction in the number of units on a lot which, he said, is tantamount to downzoning. He said that California had a housing shortage of 50,000 units and that property owners bear the brunt of low density and downzoning was expensive. Mr. Salah said that the Builders Association would submit later detailed written comments on the proposed text changes. He said that the Board of Supervisors would be asked to place the issue of downzoning on ballot.

Mr. Sam Schneider of the Residential Builders Association said that the proposed code was very confusing. He said that the front set-back averaging provision was unfair. The prior builder had more than equal weight in determining what the present builder could do. He said that the recommendation was based on structures built before 1940. He said that where there was a tight housing shortage, the need was for more multiple construction, not downzoning.

Responding to Mr. Schneider, Mr. Winogrand said that a major premise of the study was that the new construction should recognize that which already existed.

Linda Joe Fitz of Heritage said that the proposed downzoning was what San Francisco needed, and that the Department of City Planning had done a wonderful job in putting together a conservation text.

Ed Lawson, representing the Richmond District Council, said that the zoning was restrictive. He said that people with lower income and with less ability to pay would **suffer** most. He opposed downzoning.

Bill Wilson of the Council of District Merchants Association made the following statement:

"I have watched and studied the Residential Zoning Plan since its initiation in May 1976, and witnessed the confusion created when proposals for commercial districts were mapped at the same time the residential plan was adopted. At that time we were told that those were only proposals since this was primarily a residential plan and that a commercial plan would come later. However, when the new maps were initiated in December 1977, these RC proposals had been removed, but little blocks of RC-1 designations appeared all over the city in place of the non-conforming use classification as well as in one full commercial strip. Yet this is the residential planning staff who have made decisions on commercial policy during a residential study.



"We have witnessed in San Francisco a residential zoning study initiated three years ahead of any comparable commercial study. And now that the commercial study is actually in progress we find that commercial policy has already been determined in part under the residential zoning plan and by residential staff without any supportive comprehensive studies dealing with commercial densities, types of businesses, parking and traffic studies, or business trends and changes district by district throughout the city. Is this coordinated City Planning? No this is piecemeal planning at its worst.

"The 32 member merchant associations of the Council have become increasingly aware of the changing character of their commercial districts and the impact this may have on their total neighborhood. The growing membership to the Council reflects this concern. We are not only business people in this city but are also residents of this city. These merchant districts wish to preserve and improve the quality and the character of their neighborhoods and in many instances have the same goals of the residential groups. Yet we are not getting a fair share of planning by the City Planning Department. If staff personnel were made available to complete much needed comprehensive studies concerning business trends, traffic trends, shopping trends and various other essential commercial studies we could all work to improve the quality of our merchant districts. By a concentrated effort of city departments to deal with crime, traffic, parking and litter in our districts we can preserve and improve this quality and keep shoppers in San Francisco. This is our fair share.

"Rather, what do we get? We receive neighborhood commercial zoning changes in an irregular uneven and haphazard way such as these piecemeal RC-1 mappings without supportive studies. The RC zoning proposals have been discussed by our commercial districts and found unworkable and unacceptable. The broad application of the conditional use principle under the RC classification for all types of businesses above ground level in 25 - 30 commercial districts can have a dangerous effect in these districts. Many professional services such as doctors, dentists, attorneys, insurance and tax services, accountants and real estate offices depend on second level office space. However, by placing these valuable neighborhood services under a broad conditional use category you will over load the Commission hearing calendar since each application will require a staff review and Commission hearing. This in turn can only discourage future applications and force these valuable services to ground level office space which would then break up continuous retail frontage or even worse force them out of the neighborhood to downtown or suburban office space causing our neighborhood residents to drive further for these services. These types of negative impact have not been fully researched by the residential staff in their RC recommendations, and are proposed at a time when the commerce and industry study is only in its first stages. This is not coordinated planning.



"We therefore as concerned merchants and residents of San Francisco ask the Commission to deal only with the residential aspects of this present rezoning plan and to delay any decisions on commercial zoning until sufficient meetings and discussions have taken place between merchant and residential groups with the commerce and industry and residential staffs of the City Planning Department. Through this direct method those commercial districts with particular problems can be dealt with on an individual bases with all parties concerned."

Ms. Luana Addiago said that she owned property at 22nd and Alvarado Streets. She said that her property was being downzoned from R-4 to RH-2 and that this was inappropriate because there was already too much open space in the area. She said that they needed denser zoning. She asked how people could afford a \$150,000 home.

Charlotte Elan of the Rossi Park Improvement Association made the following statement:

"My name is Charlotte Elan and I live at 1029 Anza Street in the Inner Richmond and am Secretary of the Rossi Park Improvement Association.

"We are glad to have the same opportunity as other areas in the city to point out the problems presented by the downzoning, both the 1973 Inner Richmond downzoning and the 1976 city-wide downzoning, especially with regard to the impact of the 1976 zoning reclassifications on the 1973 changes.

"First, I would like to say one thing about zoning in this city. In looking over the old 1960 zoning for the Richmond, one gets an appreciation of that Planning Commission for their foresight, and their fairness.

"We have a street that follows alongside the Golden Gate Park all the way to the beach. They realized that a street with houses on one side only, provided good open space, and also there was added parking on the park side of the street most of the time. So the 1960 Planning Commission allowed a little higher density for Fulton Street. The rest of the block was R-2 zoning which provided a choice for buyers, either single family or flats, etc. For students and others who could not afford to buy land, there were the little corner lots. I say little because many are only 100 feet, yet they provided many small, inexpensive apartments. This was due to a special density allowed corner lots.

"Today's Planners proposed interim zoning calls for mostly flats - 2-unit - all the way from Arguello to the Beach, wipes out the density zoning for the corner lots, and rezones Fulton Street down to 2-family RH-2 zoning - the same as the rest of the zoning in the block. Since there was no problem on Fulton Street, the reason for expensive flats-only-zoning must be overreaction or oversight. This is shown on the map, attached, which reflects downzoning by shaded area.





"Also attached are pictures of another problem area. On Third Avenue, between Anza and Balboa, are a series of duplexes built many years ago, by some people from France, I understand. Inasmuch as the major complaint we hear in Inner Richmond is concerning parking problems, we were interested when we heard complaints from people on this street that they didn't have any garages on their street. Well they do, of course, have some garages, but we counted 34 units with no garage and 12 more in an apartment house across the street, caty-corner from these units. The duplexes, and there are ten of them, have no basements so no garages can be built. These are long lots, 120' I understand, and to ease their problem and get construction of some garages I wonder if upzoning might do the trick; perhaps RM-2? This area is marked on the map in blue. They have been downzoned which is another case of unfair downzoning. Upzoning is allowed for some units, such as this, with no garages, yet was not allowed these old buildings. If you wish an example of this type of upzoning, the 4-unit no-garage apartment house at 25-31 Cabrillo was upzoned two notches.

"Another two cases of unjustified downzoning are the two small cottages in between so many tall ones on Anza Street, off Arguello. One is beside a 4-story building, yet it was downzoned twice. On the same block are 4-unit, 8-unit and 13-unit apartment buildings, yet RH-2 zoning was applied. The other, an even smaller building, and older, needed to be torn down and replaced. When the owner found he could manage the huge cost of rebuilding if he put up 3 units, he found he was no longer zoned for 3 units. So he asked permission to build the 3 units. The Planning Commission turned him down. About the same time another man asked to build 4 units instead of 3 on Arguello. He got his variance, but the Anza owner did not. When refused, this poor man made the best of it and got rid of the property. He first had to put loads of money in the little old building, in order to sell it. What a gyp for everybody but Planning. They profit by building up these requests and building themselves a Bureaucracy, that apparently they intend maintaining forever instead of winding down as they should, so they need less and less people. The woman who owns the other small building is old, and needs help filling out forms to restore her twice-downzoned property. She won't get that help from Planning if she calls there. They are too busy most of the time to even half-way answer. Now I found that all these inconsistencies was only the beginning. Supervisor for the Richmond, Gordon Lau, has a home in the Richmond and his block is given RM-1 zoning, for 2-unit buildings. It seems grossly unfair that his block should have RM-1 for a 2-unit block whereas the Richmond is not allowed this RM-1 zoning for blocks with 3.3 units. (And I would just like to ask that if any of the facts I am giving and intend to give, are challenged, I would like to ask permission to respond to that point.)

"A study of Inner Richmond, block by block on the Avenues where the downzoning to RH-2 prevails, indicated that block after block averaged 2-units or more. There are a few blocks near Fulton not yet checked, but overall the RH-2 downzoned area, shown by shading in the map usually is well over the 2-unit average in Gordon Lau's block. All of this RH-2 downzoning in Inner Richmond should be restored to its former zoning. It is completely unjust and unwarranted.



"I have mentioned, previously, cases of double-downzoning, as in the instance of the woman who owns the small property on Anza. Pius Lee has mentioned the possibility of a loss to property owners of \$15,000 to \$20,000 when downzoning occurs. The loss from downzoning is much greater than that -- it could be double that amount: -- when double downzoning occurs. This is when downzoning goes down two notches.

The downzoned Anza house was in the RM-2 Arguello area and was removed by Planning and put in a lower zone. This was the first downzoning. Then the lower zone was downzoned, resulting in the double downzoning. This was done to the homeowners on Arguello, on the East side of the block, from Geary to Anza. Such downzoning shows a callous attitude toward the owner's investment. In the case of these Arguello lots, the bad treatment to the homeowners is compounded by the fact that many of these lots are sub-standard in size. Under the new RH-2 zoning they could not possibly rebuild anything worthwhile. A two-room deep house is not worthwhile to build, to most of us, in most cases. I took the time to see some of these people, who signed the enclosed petition against the downzoning. Another block on Arguello, from Turk to Golden Gate on the East side of the street, was given the same double down-zoning, despite the fact that the buildings are very old, and 10 units have no garages. Some have small business store front. Included is a picture of this block. Other areas got the same type double-downzoning and are marked in solid red on the map for easy identification. Planning should contact ever one of these people and explain to them how to turn in a form properly, requesting that their former zoning be restored. In other of these areas I passed out about 15 or 20 forms but doubt that the owners understood, due to a language barrier in some instances.

"Most people haven't any notion of what Planning is doing to Richmond District property. In all of the approximately 100 people I talked to, only two knew about the downzoning. Both were against it.

"There are so many other inconsistencies and injustices that it would take this much more time to tell them. For just one example, the 45% rear yard open space requirement is applied in full simply because a lot, or a couple of lots on which one building is to be erected, simply because no other lots face the same way. If no adjacent lots exist, to compare to, then a 25% rear yard cannot be allowed, despite the fact that the yard has always been 25%.

"I would like to know one thing: if one has a vacant lot on each side of his lot, does the owner have to apply the 45% although his own rear yard has been 25%?

"It seems the downzoning will do way more harm than good. Our consensus was to leave the old 1960 zoning stand. It was fair compared to what's being done.





"And just before closing, I would like to represent myself in the following statement. By running my gasoline station off of California Street, Planning is forcing me to go to an area of the city where it is completely unsafe for me. If I have to leave my car there, I am forced to pay for a cab. I cannot walk home in the evening from the new location as I can at present. Arguello is usually well traveled and it is well lighted. Planning is simply mutilating this beautiful city, and you know who gets the short end of the stick -- the elderly. They are and must sell their homes as fast as they retire. The others often must live in the Tenderloin or even in Golden Gate Park or Yerba Buena caves (so called). Everyone gets old. I have many things I can think of the City could do for them - without loss to the City, but we don't really have that much spirit - to really do something, de we?"

Valerie Tedetsky said that the City is being ruined. She said to let 1960 zoning remain and that if there are districts which want downzoning, to let them have it. She said that the citizens are being dictated to by small special interest groups.

Jerry Horowitz of the San Francisco Planners Network made the following statement:

"The Planners Network is an organization that works toward the implementation of progressive planning policies. Our San Francisco membership consists of approximately 100 planners and concerned citizens.

"Previous residential 'overzoning' in San Francisco encouraged housing speculation, with multi-unit buildings replacing smaller residential structures.

"The Planning Department's response to neighborhood groups' criticism of the zoning has been to 'downzone' many residential areas to correspond to existing use patterns. While this downzoning may be very successful in curbing the old type of speculation, it cannot control a new form of property speculation.

"With housing units in limited supply and constant high demand, it has become increasingly lucrative for a property developer to purchase a building, rehabilitate it (or in many cases make only minor cosmetic improvements) and then turn a huge profit either by boosting the resale price tremendously or by drastically increasing rents. A city-wide downzoning which limits the number of potential new housing units, while discouraging one form of speculation actually encourages this new form of speculation.

"Simply increasing the number of housing units in the city will not ease San Francisco's housing crisis. Because housing demand is so great and land is so scarce, an increase in the supply of market rate housing will do nothing to alter the spiraling costs of housing. It is essential that opportunities



for new subsidized low-and moderate-income housing development be provided to minimize the exclusionary effects to which this well-intentioned downzoning will contribute.

"The rising cost of housing is altering the social make-up of our neighborhoods by pricing low-and moderat-income families out of San Francisco. While well-prepared groups concerned with preserving the character of their neighborhoods have had their demands for lower densities heard, low-income residents have lacked the organization to speak up for their own housing needs.

"We offer these five suggestions for providing potential sites for new housing, with emphasis on the production of low-and moderate-income units:

"1. The most obvious areas of potential new residential development is found in the conversion of existing undeveloped or underutilized land now designated for commercial or industrial use. Most tracts of this type are located in the eastern portion of the city. Because of its climate and good transportation access, this area is well suited to residential development. Specific examples of sites that could be used for housing include parts of the Northeast Industrial Zone (NEIZ) of the Mission District and land immediately adjacent to residentially zoned areas in Bayview-Hunters Point and Potrero Hill. Serious consideration should be given to converting areas like these to residential, commercial-residential and industrial-residential uses. New residential development should be allowed in existing industrial zoned areas through establishment of mixed use zones, with provision for strict performance standards for industries within these zones to insure compatible uses.

"2. A second source of housing development potential is in the use of upper stories for residential units in new neighborhood commercial structures. Such areas as 24th Street, outer Clement Street and Sacramento Street show that a mixture of ground floor commercial development and upper floor residential use provides complementary functions which can greatly enhance the livability of a neighborhood. Upper floor residences may be encouraged by giving special allowance in new commercial buildings for parking space requirements, open space provisions, or rear yard dimensions.

"3. A third opportunity for new housing development in existing neighborhoods are sites of Non-Conforming Uses (NCU's) slated to be terminated in 1980. Many of these NCU's are on relatively large sites providing excellent potential for new housing construction. An example is the tow car garage on Hayes between Clayton and Ashbury. In some cases, it may be feasible to convert the existing NCU structures to residential units, possibly on the order of the joint artist living-work quarters as provided in the proposed ordinance for commercial and industrial districts. Incentive provisions similar to those proposed for encouraging upper floor



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"housing in commercial areas should be developed to make best use of existing construction on NCU sites. The Department of City Planning should join forces with the Office of Community Development to take advantage of this potentially valuable sources of housing units.

"Suggestions 4 and 5, although they do not specifically relate to interpretations of the zoning code, do relate to ways in which the Planning Commission can aid in provision of new residential sites through its powers of review over land use:

"4. When the Department of Real Estate decides that a city-owned property is excess, it auctions this land off to the highest bidder. Some of this property is zoned for residential use such as the recent case of the lot at 150 Woodside (which already had a house on the lot). Residential land considered surplus should be sold only for the purpose of developing low-and moderate-income housing. Otherwise, it should be held in a land bank for future use as a city-sponsored housing site.

"5. Neighborhoods in the eastern and southern portions of the city have many small vacant sites within residential zones. Bayview-Hunters Point, Bernal Heights, and Potrero Hill all contain vacant residential lots. Infill development of new housing on these smaller sites should be encouraged, with emphasis on low-and moderate-income units which help maintain the character of the surrounding neighborhood.

"Even if the Planning Commission approves all of these suggestions, the housing cost picture in San Francisco will not necessarily show improvement. Zoning controls by themselves cannot stop property speculation in any form. Any plans for rezoning to protect existing stock or to provide new areas for residential development must be supplemented with policies aimed at discouraging property speculation. Specifically, such policies should include a steep real estate transfer tax on profits made during short-term ownership and controls on rent levels.

"Provisions in the zoning ordinance may make development of new housing for low-and moderate-income families possible, but some sort of public monies will absolutely be needed to make it a reality. Furthermore, it is essential that neighborhood groups and city, State and Federal agencies establish improved coordination of services for acquisition of land, construction, and financing of housing assistance payments when indicated.

"The best way to coordinate these steps would be through the formation of a decentralized, neighborhood-based city Housing Development Corporation (HDC). In this arrangement the city would handle administration and financing, while the neighborhood involved would be responsible for the actual housing development and construction. Existing neighborhood HDCs would work cooperatively with the city HDC. Increased emphasis would be placed on seeking Federal Section 8 rent-subsidies and other available housing assistance monies.





Other agencies would work with the HDC to insure the flow of available housing sites. The Department of Real Estate and the Office of Community Development would be especially crucial in aiding the development of surplus city owned property, infill lots, Non-Conforming Uses, and land newly rezoned for residential use.

"In summary, although we support the preservation of the scale and character of existing neighborhoods, we strongly urge the Planning Commission to take the following actions:

- "1. Provide new residential areas in existing undeveloped and under-utilized commercial and industrial districts.
- "2. Create incentives to encourage upper story residential development in new neighborhood commercial structures.
- "3. Encourage residential reuse of Non-Conforming Uses in neighborhoods.
- "4. Sell city owned 'surplus' land only for development of low-and moderate-income housing; otherwise land bank the sites for future use as city-sponsored housing.
- "5. Encourage infill development of vacant residential sites, stressing low-and moderate-income units which preserve neighborhood character.
- "6. Discourage property speculation by implementing a real estate transfer tax and controls on rent levels.
- "7. Establish a decentralized city Housing Development Corporation to coordinate expanded efforts in developing publicly subsidized housing.

"Thank you in advance for your attention to these important amendments to the proposed residential zoning revisions."

Patty Siegal of the Childcare Switchboard made the following statement:

"First of all we would like to support the wording change that eliminates the 100 square feet per child outdoor play area requirement for childcare facilities. Now all city planning code requirements for childcare will be compatible with State licensing regulations.

"The new Residential Rezoning Plan specifies that the capacity of Family Day Care Homes not required to file for a conditional use permit be increased from 6 to 10. This increase would bring the City's zoning regulation in line with the current State limit for Family Day Care Homes,



as suggested by the Board of Supervisors Childcare Initiative Task Force in 1976.<sup>1</sup>

"A new set of State Childcare Regulations is due to be completed within a very few months. These regulations will increase the maximum number of children cared for in a large Family Day Care Home from 10 to 12.<sup>2</sup> Therefore, in keeping with the initial intent of this change in the Residential Rezoning Plan, the suggestion of the Childcare Initiative Task Force, and the reduction of unnecessary red tape and expense for Family Day Care operators, the Childcare Switchboard respectfully requests that the conditional use permit waiver limit be increased to 12.

"Filing for a conditional use permit costs \$185 and causes a 5-6 week minimum delay in opening a childcare facility. The potential provider must go to the assessor's office to compile a 300 foot radius map including all ~~properties~~ and must supply stick-on labels with names and addresses of all property owners. This is asking too much for such a small operation.

"The cost, time delay, and stringent regulations end up discouraging people from getting licensed and encouraging illegal operations. One of the guiding principles of the Residential Zoning Study is to put fewer restrictions on smaller uses and encourage decentralized services. Furthermore, a national task force on childcare licensing recommended that Family Day Care Homes are the same class of use as a home where people live, and should be permitted wherever such homes are permitted without requiring any conditional uses.<sup>3</sup> Also, the City of Oakland has exempted all day care homes and special day care homes from the requirement of a Conditional Use Permit.

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<sup>1</sup> Childcare Initiative Task Force-1976

P. 40 Action Steps: Licensing and Regulation Changes

A. The Department of City Planning should revise zoning to better facilitate the development of childcare programs.

1. Reduce planning code requirement of 100 square feet of outdoor space per child to conform to State and Federal requirements of 75 square feet per child.
2. Permit all childcare facilities with 10 or less children without special review.

<sup>2</sup> Family Day Care Home Draft Regulations 10/7/77

#80253. Number of Children Allowed

- a) A family day care home may care for no more than 12 children, including the licensee's own children under 13 years of age and other children exempt from licensure.

<sup>3</sup> Day Care Licensing Study, Office of Child Development, Department of Health, Education and Welfare, Washington D.C., 1972.





"Regardless of funding source, childcare should be regarded as a needed community service and planned as a desirable public objective. If zoning regulations are too restrictive, then residents of this city are being deprived of much needed services. Zoning should not inhibit childcare; rather it should facilitate childcare. Childcare must no longer be considered as a form of industry which should not co-exist with residential housing.

"Childcare facilities do not deserve to be considered as a potential 'problem use' permitted only under certain careful conditions. Indeed, Section 206 of the proposed ordinance text for new residential zoning states that among the purposes of a residential district is the 'promotion of balanced and convenient neighborhoods having appropriate public improvements and services, suitable non-residential activities that are compatible with housing and meet the needs of residents, and other amenities that contribute to the livability of residential areas.' <sup>4</sup>

"We agree with the Childcare Initiative Task Force suggestion that not only Family Day Care Homes, but smaller childcare centers should be allowed in residential areas as a right. Therefore, we ask you to permit all childcare centers of 24 or fewer children to operate in all residential areas without a conditional use permit.

"The Childcare Switchboard will be happy to work with the Department of City Planning and other relevant city agencies in doing comprehensive planning for childcare services. Such planning would assure that childcare programs are considered as part of a city-wide picture and can be distributed according to an anticipated pattern of need. This kind of joint land use/social planning effort would successfully bridge the gap between planners who have not become involved in childcare issues and childcare people who have acted in isolation without knowledge of overall community needs.

"Over the past six months the Childcare Switchboard has realized the potential for such cooperative planning. In August 1977 we received CETA Title VI funds for a full time 'Licensing and Facilities Development Specialist'. The individual we hired for this position is an articulate and experienced planner. He provides much needed technical assistance to existing, new and developing childcare programs, but along with this work he has added a planning perspective to our on-going efforts to help co-ordinate childcare services within the city, and advocate for the expansion of new and much needed childcare programs.

"Thank you for your consideration and your cooperation in bringing about these much needed changes."

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<sup>4</sup> Proposed ordinance text for new residential zoning, Department of City Planning, San Francisco, 1977 P. 2-9



Terry Hurley, a member of the Citizens Action League, said that she was disappointed with the members of Upper Richmond and that the residential builders built poor houses.

Robert Dutra, representing the Muellen-Holladay group of Bernal Heights, said that the proposals would protect the quality of the neighborhood. He said that the remaining vacant lots on Bernal Heights would require special treatment in the future. He said that he hoped that the proposal would be approved. He said that he was pleased with RH-1 and RH-2 on Bernal Heights and Potrero Hill.

Mr. John Rainsford of the Residential Builders Associations suggested that the Commission do two things: 1. The Commission should take a half page ad in the local newspaper asking any person who wanted downzoning to respond to the Department. He said that in his opinion the Department would not get many responses. 2. The Commission should look for a free spot on TV and ask those who wish to have downzoning to contact the Assessor's office. Again, he said, there would not be much response.

Gordon Blackley of the Associated Building Industry made the following statement:

"Our association, which represents the residential and light commercial construction industry in the Bay Area, is forwarding this letter to express our concern over what we believe are excessive restrictions on planning and construction contained in the proposed controls contained in the Residential Zoning Study currently being reviewed by your Commission. We respectfully urge that the Planning Code provisions referred to below be either modified for greater flexibility; limited in certain applications; or abandoned.

"Our comments must be brief, as detailed analysis would require many pages of text and diagrams. We appreciate the consideration given us under great pressure of time by Mr. Mark Winogrand of the Department of City Planning, with whom some of the items mentioned below have been discussed.

"The new code and its interim predecessor, reduce buildable areas and therefore building sizes. Comments are made at times that 'developers always build to the limit'. We wish to point out that under the present code this is often necessary to achieve dwelling units of normal size. Moreover, these 'limits' have been established by the Department of City Planning; by inference such limits must be acceptable; developers should not be criticized for working to them, whether by necessity or by choice. Furthermore, the dwindling supply of buildable land left in San Francisco often comprises lots left vacant because of difficult site or planning conditions. The new restrictions therefore may be particularly burdensome.



"We offer these specific comments on the new code provisions:

1. Buildable Area. We have the impression that the Planning staff analyses and conclusions tend to be based on lots greater than 100 feet in depth. In fact, many lots are 100 feet or less; for these smaller lots, even with no front setback, the 55% basic buildable depth does not provide sufficient area on a 25' wide lot for the 'standard' three bedroom two bath single family dwelling, not to mention two family. Substandard size dwellings are the result, or two story houses must be built, a choice not always appropriate on other grounds. The 55% rule introduced in interim controls originally applied to single-family dwellings and was later removed. We recommend that once again single-family dwellings be exempted, or that some other standard be developed.

"2. Front setback averaging; rear yard averaging. Buildable area lost in front may be as much as 15' in depth; this is particularly severe with 100' or shorter lots. We recommend that area lost in required front setbacks be added to buildable depth at the rear, up to the 75% maximum; and that in no case should the buildable area be required to be less than 55%.

"3. 30' height limits at front and rear. If a two-story building projects bays over city property, 10' clearance is required; given standard 8' ceiling heights, the minimum building height is approximately 29 feet. If the street slopes even moderately, the building will exceed the 30' height limit. In such cases, bays cannot be used on the uphill side of the first floor where they are usually desirable. Similarly, a two-story building on a moderate downhill lot can easily exceed the 30' height limit in the rear. We recommend that the code be revised to permit the full two stories to extend to the rear of the buildable area regardless of height.

"4. Staggering of facades (lots wider than 35'). A minimum stagger of 2' is required, either horizontal or vertical. The 2' vertical offset should be permitted to exceed the applicable height limit by 2'; any area lost in front by staggering should be permitted to be added to the rear by staggering.

"5. 30% garage door width (single family exempted). This requirement causes severe hardship in cases of two-family dwellings; results in difficult interior parking, considerable loss of usable basement floor area, awkward circulation, and increased construction costs. We propose that all one and two unit buildings be exempt; and that one 16' wide door be specifically permitted in these cases.





"6. Usable open space. Minimum areas, dimensions, and locations are specified. In practice this will usually require balconies except for single-family dwellings. Said balconies, which must have a minimum depth of 6', should be permitted to project the full six feet into required front setback areas and rear yards. Widths should be permitted up to 16-17 feet to enable the required 100 square feet to be provided without further reductions in interior floor areas. Such projections should be permitted on buildings of more than two stories; i.e. wherever such private open space is required.

"7. Multiple entries. Required when lot or building width exceeds 35', multiple entries are expensive, wasteful of buildable area, lead to awkward and inefficient planning, present difficulties with garage planning and mean a loss of building security. We suggest these possible alternatives to break up facades:

- A. Multiple entries be required only for widths in excess of 50', and only for buildings of more than six dwelling units.
- B. Use 65' width as a criterion to coincide with the required vertical stepping of buildings along sloping frontage.
- C. Permit 'entries' which serve ground floor facilities but are not required to connect with dwelling units.

"8. Bays. Due to front setback averaging, adjacent buildings in many cases will project beyond the front wall of new construction. The 'standard' bay should be modified to permit construction to the side property line on that side, to eliminate an awkward pocket with a view of the adjacent wall. When front walls are horizontally stepped, bays should be permitted to adjoin that portion of the front which projects further. Similar consideration should apply to bays in the rear.

"9. Area calculations for determining permitted number of dwelling units. In most cases, major fractions are now discarded. We urge that the additional unit be permitted whenever the major fraction is 75% or more.

"10. Garages in Front Setbacks. On steep unhill lots garages may be constructed in required front setback areas. Present policy limits height of such garage roofs to 10 feet. We suggest this be increased to make possible roof overhangs, also deck overhangs which provide useable open space not otherwise available on steep lots, and that the height be sufficient to permit such overhangs along sloping sidewalks.



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"Thank you for your consideration in reviewing the above comments. They have resulted from detailed consideration of the effects of the new code in many specific instances, which are not special cases, but which represent a substantial portion of all new residential construction."

Jay Harold, a resident of the Outer Richmond said that he would not mind his property being downzoned and that he was not rich. He said that downzoning would have an adverse impact on property value but positive effect on elderly people. Finally, he said that there should be some downzoning but that it should be easy to get exceptions.

Tony Kilroy, a resident at 473 11th Avenue, said 90% of the residents in his area supported downzoning. He said he favored averaging setback requirements. He said that he was concerned that the conditional use would allow major institutional development and demolition of existing housing for institutional development.

Jow Harris, resident of 2455 Vallejo Street, said that his lot was downzoned by three units. He said that he had submitted a formal request for map change and he hoped the Commission would look upon his request favorably.

Responding to Mr. Harris, Mr. Winogrand agreed that the staff would go back to take another look at Mr. Harris' lot.

Henrietta Matta said that housing was one of the biggest and largest investments a person makes in a lifetime. She said that people of San Francisco should be told exactly what the Department has in mind in terms of downzoning.

Francis Centurion of the Association of Latin American Business people, said that he was concerned of the economic impact of downzoning. He said that he had the feeling that there was an "allright Jack" attitude, "I have got mine." The economic impact of the downzoning should be carefully weighed, he said.

After a call for further testimony, it was moved by Commissioner Dearman, seconded by Commissioner Bierman and carried unanimously that this matter be continued to April 13, 1978.

EE76.182 - PUBLIC HEARING ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR  
PROPOSED AMENDMENTS TO THE TEXT OF THE CITY PLANNING  
CODE AND TO THE ZONING MAP RELATING TO RESIDENTIAL DISTRICTS  
AND DEVELOPMENT.  
(CONTINUED FROM THE MEETING OF JANUARY 19, 1978.)

It was moved by Commissioner Wentz, seconded by Commissioner Bierman and carried unanimously that the matter be continued to April 13, 1978.





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## COMMISSIONERS' QUESTIONS AND MATTERS

Commissioner Bierman asked the staff to consider the following text change:

1. To reduce the parking exemption in commercial districts, from 5,000 square feet to 2,500 square feet.
2. To allow by conditional use, in single-family residential districts, those conditional uses allowed in the higher density residential districts.
3. To allow philanthropic offices in residential districts by conditional use.
4. To require conditional use for child care facilities having twelve or more children or to bring local code requirements into conformity with State licensing requirements.

President Rosenblatt made the following observation: 1. There is a need to use the RC zone in those C-2 districts or streets where there has been significant neighborhood concern. This would include Union, Castro, Fillmore, Sacramento and upper Market Streets. 2. There is a need to do some RC mapping now, in the Residential Zoning Study, and not wait for the Commerce and Industry Zoning Study.

The meeting adjourned at 11:00 p.m.

Respectfully submitted,

Lee Woods  
Secretary



APR 16 1980

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CITY PLANNING COMMISSION

Minutes of the Regular Meeting held on Thursday, March 9, 1978.

The City Planning Commission met pursuant to notice on Thursday, March 9, 1978, at 1:30 p.m., in Room 282, City Hall.

PRESENT: Toby Rosenblatt, President; Ina F. Dearman, Vice-President; Susan J. Bierman, George Carey, Virgil L. Elliott, Yoshio Nakashima, and Charles Starbuck, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; George Williams, Assistant Director-Plans and Programs; Robert Passmore, Planner V (Zoning); Selina Bendix, Environmental Review Officer; Marie Zeller, Planner III; Nathaniel Taylor, Planner II; Alec Bash, City Planning Coordinator; and Lee Woods, Secretary.

The press was represented by Gerald Adams of the San Francisco Examiner and Dan Borsuk of the San Francisco Progress.

## APPROVAL OF MINUTES

Minutes of the Regular Meeting of October 13, 1977, were approved as submitted.

## CURRENT MATTERS

President Rosenblatt said that the Streets and Transportation Committee of the Board of Supervisors was meeting, and that it was important to get to the Committee the Commission resolution of policy with respect to the San Francisco Beltline Railroad.

The resolution was an expression of City Planning Commission policy that the San Francisco Beltline Railroad tracts should be replaced upon completion of the Wastewater Management Project. It was moved by Commissioner Dearman, seconded by Commissioner Bierman and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7907.

At this time, President Rosenblatt introduced a resolution by which the City Planning Commission invited the Presidio of San Francisco to make a public presentation of its Master Plan. It was moved by Commissioner Dearman, seconded by Commissioner Starbuck and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7908.

Charles Gill, City Planning Coordinator, reported that Mr. Warren Simmons was proposing to lease 15,000 square feet of Pier 35. He said that this action would require a separate conditional use authorization.

President Rosenblatt introduced a resolution which authorized the Director of Planning to submit a request for a supplemental budget appropriation for a portable transcription-public address system. It was moved by Commissioner Dearman, seconded by Commissioner Bierman and carried unanimously that the draft resolution be adopted as City Planning Resolution No. 7910.

Commissioner Starbuck requested that the zoning staff brief the Commission with respect to conditional use for the Executive Park (Yerby) Project. Also, Commissioner Starbuck asked if the housing staff would prepare a polite resolution urging Hastings College of the Law to consider the provision of combined student housing and housing for the elderly at the site of the Empire Hotel.

Commissioner Starbuck suggested that it would be a good idea if someone from the staff could inquire into the State's actions in the context of a State Office building in the Civic Center Area.

Commissioner Starbuck asked also if the transportation staff would acquire a copy of the Palo Alto Ordinance related to the provision of bicycle parking space in public and private buildings. He asked that staff relate the ordinance to proposed developments before the Commission for consideration.

CONSIDERATION OF PROPOSED RECOMMENDATION TO THE BOARD OF SUPERVISORS ON AMENDMENTS TO THE SUBDIVISION CODE AS IT PERTAINS SPECIFICALLY TO THE PRESERVATION OF LOW AND MODERATE INCOME HOUSING IN CONDOMINIUM CONVERSION SUBDIVISIONS AND THE PRICING OF CONDOMINIUM UNITS FOR TENANTS IN RELATION TO PRE-CONVERSION RENTS.

(CONTINUED FROM THE MEETING OF MARCH 2, 1978.)

George Williams, Assistant Director-Plans and Programs, introduced a draft resolution and read the following "Resolved" clauses:

"THEREFORE BE IT RESOLVED, That the City Planning Commission does hereby adopt the recommendations of the Director of Planning concerning the Residence Element of the Master Plan and the Subdivision Code, as contained in the Memorandum to the City Planning Commission of February 23, 1978, specifically relating to establishing a method for determining the allowable prices of condominium units when offered to existing tenants in order to retain monthly housing costs comparable to pre-conversion rents;

"AND BE IT FURTHER RESOLVED, That in so adopting this recommendation concerning pricing, it is the intention of the Commission that the formula used to calculate the price limitations be subject to further refinement and such modifications as may be dictated by additional data and analysis."

Mike Bronstein asked when would public hearings be held on proposed amendments to the Residence Element. Mr. Williams said that hearings would be held after Board action on Commission recommendations related to the Subdivision Code.

Susan Passavoy, of the real estate community, asked how an Ordinance could be drafted if adequate data was not available. With respect to a draft ordinance based on the staff recommendation, Mr. Williams said that the staff felt that an extensive study was not necessary.

Responding to the Director's statement that the Board would not schedule legislation unless it was in ordinance form, Susan Passavoy said that ordinance material should be discussed initially in the context of Commission hearings.

Commissioner Bierman said that she believed that there was enough data available to refer recommendations to the City Attorney's Office for the drafting of proposed ordinance amendments.

Commissioner Bierman moved approval of the draft resolution. It was seconded by Commissioner Starbuck and passed by a vote of 5-2, and was adopted as City Planning Commission Resolution No. 7911. (Voting yes: Commissioners Bierman, Dearman, Carey, Nakashima, Starbuck; voting no: Commissioners Elliott, Rosenblatt.)

RS78.10 - JOINT PUBLIC HEARING OF THE CITY PLANNING COMMISSION AND THE DEPARTMENT OF PUBLIC WORKS ON A TENTATIVE SUBDIVISION MAP FOR A 76-LOT SUBDIVISION AT 1850 OCEAN AVENUE, NORTH SIDE, OPPOSITE THE INTERSECTION OF JULES AVENUE.

N.B. THE CITY PLANNING COMMISSION PREVIOUSLY APPROVED THIS PROJECT AS A PLANNED UNIT DEVELOPMENT ON SEPTEMBER 1, 1977. THE APPLICANT HAS AMENDED HIS APPLICATION TO INCLUDE 77 LOTS.

A case report was available. It was summarized by Alec Bash, City Planning Coordinator. Mr. Bash said that the staff recommendation was for approval with conditions.

George Woo represented the Director of the Department of Public Works.



Joseph Yarnell represented the applicant.

Commissioner Elliott moved approval of the staff recommendation. It was seconded by Commissioner Nakashima and carried unanimously and was adopted as City Planning Commission Resolution No. 7912.

RS78.11 - PUBLIC HEARING ON A TENTATIVE SUBDIVISION MAP FOR A NEW 5-UNIT CONDOMINIUM SUBDIVISION AT MIDWAY TERRACE, WEST SIDE, 68.75 FEET NORTH OF FRANCISCO STREET, LOT 38 IN ASSESSOR'S BLOCK 39.

A case report was available. It was summarized by Alec Bash, City Planning Coordinator. Mr. Bash said that the staff recommendation was for approval with conditions.

Commissioner Elliott moved approval of the staff recommendation. It was seconded by Commissioner Nakashima and passed unanimously and was adopted as City Planning Commission Resolution No. 7913.

DR77.83 - CONSIDERATION OF REQUEST FOR DISCRETIONARY REVIEW OF PROPOSAL TO EXPAND FOR OPERATION TO SECOND FLOOR, BUILDING PERMIT APPLICATION N 7712226, OF PIERCE STREET ANNEX AT 3138 FILLMORE STREET.  
(CONTINUED FROM THE MEETING OF FEBRUARY 16, 1978.)

Robert Passmore, Planner V (Zoning), said that the building permit was for remodelling on the second floor and that it related to the Fire and Building Codes.

Gary Farrari, representing the applicant, said that the applicant had possessed building permits for five (5) years. He said, he had a liquor license and would require a duplicate of the original but not an additional license.

Mr. Passmore said that the previous permits had expired and that new permits would be required for remodelling the upstairs. Mr. Passmore said that the City Attorney's Office had informed the Department that the City could approve permits in spite of the moratorium.

President Rosenblatt said that the issue before the Commission was Discretionary Review.

John Hyatt, representing the Golden Gate Valley Neighborhood Association, said that 191 residents of the area had signed a petition in opposition. He said that the thrust of the moratorium was to define Union Street as a problem area.

Mr. Passmore said that the staff recommendation was for Discretionary Review.

Commissioner Bierman moved that the Commission undertake Discretionary Review. It was seconded by Commissioner Dearman and passed unanimously.

John Hyatt said that it seemed to him that the expansion was a separate bar. The interior noise will not be a problem, he said. Congestion and traffic noise at 2:00 a.m. will be a problem.

Commissioner Bierman said that she would be concerned if the applicants had had permits previously, to do what they are now proposing.

Agreeing that it would continue this matter, the Commission requested that staff determine, from previous permits, what type of remodelling had been anticipated by the applicants.

Commissioner Starbuck moved that the matter be continued to March 16, 1978. It was seconded by Commissioner Nakashima and passed unanimously.

CONSIDERATION OF DRAFT RESOLUTION AUTHORIZING THE DIRECTOR TO SUBMIT A SUPPLEMENTAL BUDGET REQUEST FOR FY 78-79 FOR THE DEPARTMENT'S OFFICE OF ENVIRONMENTAL REVIEW.

Selina Bendix, Environmental Review Officer, said that her office had operated chronically with a smaller staff than was necessary. She said that delay, in terms of the Environmental review process, was costing the City huge sums of money in terms of tax revenues. In one case, there is the threat of a law suit, she said. She urged the Commission to authorize the submission of the Supplemental Appropriation and the Supplemental Budget.

Commissioner Dearman moved approval of the Supplemental Budget and the Supplemental Appropriation respectively. It was seconded by Commissioner Nakashima and passed unanimously and was adopted as City Planning Commission Resolution No. 7914.

The meeting adjourned at 5:30 p.m.

Respectfully submitted,

Lee Woods  
Secretary



SAN FRANCISCO  
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held on Thursday, March 23, 1978.

The City Planning Commission met pursuant to notice on Thursday, March 23, 1978, at 12:00 Noon, in Room 282, City Hall.

PRESENT: Toby Rosenblatt, President; Ina F. Dearman, Vice-President; Susan J. Bierman, George Carey, Virgil L. Elliott, Yoshio Nakashima, Charles Starbuck, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Rai Y. Okamoto, Director of Planning; Robert W. Passmore, Planner V (Zoning); Marie Zeller, Planner III; Alec Bash, City Planning Coordinator; Douglas Holmen, Planner II; and Lee Woods, Secretary.

The press was represented by Gerald Adams of the San Francisco Examiner and Dan Borsuk of the San Francisco Progress.

APPROVAL OF MINUTES

Minutes of the Meetings of November 10 and November 17, 1977, were unanimously approved as submitted.

FIELD TRIP

Members of the Commission and staff departed from 100 Larkin Street at 12:00 noon to take a field trip to visit sites of April zoning cases.

CURRENT MATTERS

With respect to the recent Office of Environmental Review request for a Supplemental Budget for additional staff, the Director reported that the Mayor's Office had suggested the possible use of Title II funds for this purpose. Also he reported that he had met with representatives of the Department of Public Works to consider possible designs for ramps to the Department's office. Since one scheme would involve major changes, he suggested that Commission members might wish to review plans.

The Director made reference to the Planning, Housing and Development Committee of the Board of Supervisors and its consideration of the proposed "Kopp Amendments."





Commissioner Starbuck said that the Planning, Housing and Development Committee had voted a "do pass" on Amendments to Section 302(e) of the City Planning Code. The amendments, Commissioner Starbuck said, represent major changes with respect to Reclassification and Set-Back proceedings.

The Director reported that he had met with the architects for the proposed Federal Reserve Bank Building and that a presentation to the Commission would be scheduled for mid-April, possibly the 20th of April.

The Director said that possibly Ralph K. Davies Medical Center would appear on the Board of Supervisors' calendar for Monday, March 27, 1978.

Commissioner Nakashima asked that the staff provide to the Commission a map and/or inventory of all community meeting space in San Francisco. Commissioner Starbuck noted that the Board of Supervisors had reversed the Planning Commission's decision and approved condominium conversions at 1097 and 1101 Green Street.

President Rosenblatt asked about a Board of Supervisors' resolution related to the Belt-Line railroad tracks along Marina Boulevard. The Board had passed a resolution allowing removal of the tracks with no provision for their eventual return. Commissioner Starbuck said that both Wastewater Management and the Golden Gate National Recreation Area should receive copies of the Commission's resolution related to the tracks.

Commissioner Starbuck said that when the Green Street condominium conversions were heard by the Board, there was substantially more opposition. He said that there were great problems and inconsistencies related to the tenant survey at 1101 Green Street.

Commissioner Dearman asked if the Commission could be overruled by the Board of Supervisors in an instance where there was no 35 percent approval.

Commissioner Starbuck asked staff to continue to notify the Commission about proposals for branch banks and fast food outlets where guidelines apply. McDonalds' is pursuing a site aggressively, he said. Commissioner Starbuck asked that someone make a quick check of the structure at Geary and Masonic, behind the Copper Penny. He wondered if the structure bore any resemblance to the plans which the Commission saw.



PUBLIC HEARING ON SAN FRANCISCO'S RESPONSE TO THE ENVIRONMENTAL  
MANAGEMENT PLAN FOR THE SAN FRANCISCO BAY REGION.

The Department's Consultant, John Anderson, summarized his report on the plan. He concluded his report by saying that he would propose recommending that the plans and programs, of the Environmental Management Plan, are consistent with San Francisco City and County policies.

The Commission took public testimony from the following:

1. Jean Kortum - Association of Bay Area Governments
2. Lloyd Pflieger - President of the Downtown Association
3. Emery Curtis - San Francisco resident
4. Mike McGill - San Francisco Planning and Urban Research  
Association
5. B.J. Miller - Association of Bay Area Governments
6. Tom Merrill - The Bay Area Council

The Director indicated that a draft resolution was before the Commission. Commissioner Starbuck suggested that the language of the "Be It Further Resolved" clause be amended as follows:

"BE IT FURTHER RESOLVED, That the City Planning Commission urges the Mayor, the Board of Supervisors and all the City and County Representatives to ABAG to seek adoption of the Plan as submitted to the ABAG Executive Board, without further modifications, amendments or changes that would render the Plan less effective than it now stands in meeting the federal standards for air and water quality, in the time and in the manner prescribed by law."

Commissioner Dearman moved approval of the draft resolution. It was seconded by Commissioner Nakashima and passed unanimously as City Planning Commission Resolution No. 7923.

RS77.35 - PUBLIC HEARING ON TENTATIVE MAP FOR 5-LOT SUBDIVISION  
AT BYRON COURT AND LOWELL STREET, PORTION OF  
ASSESSOR'S BLOCK 6489.

A case report was available. It was summarized by Alec Bash, City Planning Coordinator. Mr. Bash said that the staff recommendation was for approval with conditions.

Commissioner Nakashima moved approval of the staff recommendation. It was seconded by Commissioner Carey and passed unanimously as City Planning Commission Resolution No. 7924.



- RS78.8 - JOINT PUBLIC HEARING WITH DEPARTMENT OF PUBLIC WORKS ON TENTATIVE MAP FOR 29-LOT SUBDIVISION ON WAYLAND STREET AT CAMBRIDGE AND YALE STREETS, ASSESSOR'S BLOCK 6035 AND PORTION OF ASSESSOR'S BLOCK 6036.

A case report was available. It was summarized by Alec Bash, City Planning Coordinator. Mr. Bash said that the staff recommendation was for approval with conditions.

Commissioner Elliott moved approval of the staff recommendation. It was seconded by Commissioner Carey and passed unanimously as City Planning Commission Resolution No. 7925.

- RS77.32 - PUBLIC HEARING ON TENTATIVE MAP FOR 11-LOT SUBDIVISION AT MINERVA AND SUMMIT STREETS, PORTION OF ASSESSOR'S BLOCK 7067.  
(CONTINUED FROM THE MEETING OF FEBRUARY 23, 1978.)

Rai Y. Okamoto, Director of Planning, indicated that both the applicant and the neighborhood agreed that additional time was needed to resolve a number of issues. The staff's recommendation, he said, was that this matter be continued to April 13, 1978.

Commissioner Bierman moved that the matter be continued to April 13, 1978. It was seconded by Commissioner Dearman and passed unanimously.

- DR77.83 - DISCRETIONARY REVIEW OF PROPOSAL TO EXPAND FOR OPERATION TO SECOND FLOOR, BUILDING PERMIT APPLICATION NO. 7712226, OF PIERCE STREET ANNEX AT 3138 FILLMORE STREET.  
(CONTINUED FROM THE MEETING OF MARCH 16, 1978.)

Robert Passmore, Planner V (Zoning), indicated that there was a draft resolution, recommending disapproval, before the Commission.

President Rosenblatt said that the resolution seemed to indicate that the intent of the Union Street Moratorium would cover this situation. Mr. Passmore said that this was correct.

Commissioner Starbuck moved adoption of the draft resolution for disapproval. It was seconded by Commissioner Dearman and passed unanimously as City Planning Commission Resolution No. 7926.





## CURRENT MATTERS - Continued

Robert Passmore, Planner V (Zoning), confirmed the fact that the Planning, Housing and Development Committee of the Board of Supervisors had voted a "due passed" on the proposed "Kopp Amendments" to Section 302(e) of the City Planning Code. After some discussion by Commissioners, it was agreed that there were problem areas with respect to the proposed amendments. These included: 1. The Committee structure and the pre-screening process; 2. The restrictions on who could testify; 3. The time frame for the review process; 4. The proposed fee schedule; and 5. The absence of a provision for a process of "interim controls".

The Commission directed Mr. Passmore to prepare a letter to be delivered to the Board. The letter would outline the many problems inherent in the proposed amendments and suggest routes to possible solutions. The letter would also suggest that the proposed amendments be sent back to Committee for further amendment. This would then necessitate further public hearing and review by the City Planning Commission.

The meeting was adjourned at 4:25 p.m.

Respectfully submitted,

Lee Woods  
Secretary

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